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Washington, Tuesday, December 12, 1944

The President

EXECUTIVE ORDER 9505

AUTHORIZING THE SECRETARY OF WAR TO TAKE POSSESSION OF AND OPERATE THE PLANTS AND FACILITIES OF CUDAHY BROTHERS COMPANY OF CUDAHY, WISCONSIN

WHEREAS after an investigation I find and proclaim that the plants and facilities of Cudahy Brothers Company of Cudahy, Wisconsin, are equipped for the processing of meat products that are required for the war effort, or that are useful in connection therewith; that there is a threatened interruption of the operation of said plants and facilities as a result of a labor disturbance; that the war effort will be unduly impeded or delayed by such interruption; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure, in the interests of the war effort, the operation of these plants and facilities;

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including Section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892) as amended by the War Labor Disputes Act (57 Stat. 163), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Secretary of War is hereby authorized and directed, through and with the aid of any persons or instrumentalities that he may designate, to take possession of the plants and facilities of Cudahy Brothers Company of Cudahy, Wisconsin, and, to the extent that he may deem necessary, of any real or personal property, and other assets wherever situated, used in connection with the operations thereof; to operate or to arrange for the operation of the plants and facilities in any manner that he deems necessary for the successful prosecution of the war; to exercise any contractual or other rights of Cudahy Brothers Company, and to continue the employment

of, or to employ, any persons, and to do any other thing that he may deem necessary for, or incidental to, the operation of the said plants and facilities and the processing, sale and distribution of the products thereof; and to take any other steps that he deems necessary to carry out the provisions and purposes of this Order.

2. The Secretary of War shall operate the said plants and facilities pursuant to the provisions of the War Labor Disputes Act, and during his operation of the plants and facilities shall observe the terms and conditions of the directive order dated September 30, 1944 of the National War Labor Board.

3. The Secretary of War is authorized to take such action, if any, as he may deem necessary or desirable to provide protection for the plants and all persons employed or seeking employment therein.

4. Possession, control, and operation of any plant or facility, or part thereof, taken under this Order shall be terminated by the Secretary of War within 60 days after he determines that the productive efficiency of the plant, facility, or part thereof prevailing prior to the threatened interruption of production, referred to in the recitals of this Order, has been restored.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,
December 6, 1944.

[F. R. Doc. 44-18671; Filed, Dec. 9, 1944;
11:11 a. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 30—FEDERAL LAND BANK OF HOUSTON

FEES

Section 30.1 of Title 6, Code of Federal Regulations is amended to read as follows:

(Continued on p. 14475)

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per unit. The following are now available:

- Book 1: Titles 1-3 (Presidential documents) with tables and index.
- Book 2: Titles 4-9, with index.
- Book 3: Titles 10-17, with index.
- Book 4: Titles 18-25, with index.
- Book 5, Part 1: Title 26, Parts 2-178.
- Book 5, Part 2: Title 26, completed; Title 27; with index.
- Book 6: Titles 28-32, with index.
- Book 7: Titles 33-45, with index.
- Book 8: Title 46, with index.
- Book 9: Titles 47-50, with index.

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§ 30.1 *Application fees; loan fees; land bank, Land Bank Commissioner or joint land bank and Land Bank Commissioner loans.* A fee of \$10 will be collected with each new loan application and each application for an additional or increased loan; and

A fee of \$5 will be collected with each application for division of an existing loan; and

An additional fee of \$10 will be charged for reappraisals made because of delay on the part of an applicant or made at the applicants' request; and

The initial fee collected in each case will be refunded if no appraisal is made. (Sec. 13 "Ninth", 39 Stat. 372, secs. 32, 33, 48 Stat. 48, 49 as amended, secs. 1, 2, 48 Stat. 344, 345; 12 U.S.C. 781 "Ninth", 1016, 1017, 1020, 1020a, and Sup.; 6 CFR 19.322, 19.330, 19.331, 19.335) [Res. Bd. of Dir. December 16th, 1942; Res. Bd. of Dir. September 20th, 1944; Res. Bd. of Dir. November 20, 1944; Res. Ex. Com. December 4, 1944]

[SEAL] THE FEDERAL LAND BANK OF
HOUSTON,
By STERLING C. EVANS,
President.

[F. R. Doc. 44-18702; Filed, Dec. 11, 1944;
9:32 a. m.]

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration
(Distribution Orders)

[WFO 120]

PART 1405—FRUITS AND VEGETABLES

RESTRICTIONS RELATIVE TO IRISH POTATOES

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of Irish potatoes for defense, for private account, and for export; and the following

order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1405.43 *Restrictions with regard to Irish potatoes—(a) Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Director" means the Director of Distribution, War Food Administration.

(3) "Irish potatoes" means any and all varieties of the edible tuber of the species *Solanum tuberosum*.

(4) "Government agency" means (i) the War Food Administration (including, but not limited to, any corporate agency thereof); (ii) the Army, Navy, Marine Corps, or Coast Guard of the United States (excluding, for the purposes of this order, United States Army post exchanges, sales commissaries, United States Navy ships' service departments, United States Marine Corps post exchanges, and similar organizations); (iii) the War Shipping Administration; and (iv) any other agency or instrumentality of the United States, or any other person, designated by the Director.

(b) *Restrictions with regard to Irish potatoes.* (1) No person shall ship Irish potatoes from any area included in the territorial scope of this order, specified pursuant to paragraph (c) hereof, until he has applied to the Director for and he has received from the Director a permit to ship the particular lot of potatoes.

(2) A permit to ship Irish potatoes may be issued by the Director in the event (i) the particular applicant offers to sell to any Government agency the entire quantity of Irish potatoes for which a permit is sought; (ii) such offer to sell to any Government agency is at a price no higher than the maximum ceiling prices specified by the Office of Price Administration applicable to such Irish potatoes; (iii) the lot of Irish potatoes so offered for sale to any Government agency is satisfactory to the Director with respect to grade or quality and size; (iv) the applicant furnishes an inspection certificate issued by the Federal-State Inspection Service or any other inspection service approved by the Director showing the grade or quality and size of the particular lot of potatoes; and (v) such lot of Irish potatoes is packed in a manner and in types and sizes of containers satisfactory to the Director.

(3) If any of the Government agencies accepts such offer, the Director shall issue a permit to ship such potatoes as directed by such Government agency.

(4) If no Government agency accepts such offer, the Director may, if he deems that it will tend to effectuate the purposes of this order, issue permits for the shipment of Irish potatoes to any person designated by a Government agency as having a contract to furnish either processed potatoes or food products containing potatoes to a Government agency and requiring such potatoes in the performance of his contract, and willing to purchase such potatoes on the terms offered to Government agencies.

(5) If no Government agency accepts the offer made in accordance with paragraph (2) hereof and no person is designated in accordance with paragraph (4) hereof, the Director may, if he deems it will effectuate the purposes of this order, issue permits for the shipment of Irish potatoes to any other person.

(6) Notwithstanding any provision of this order, the Director may, if he deems that it will tend to effectuate the purposes of this order, issue a permit to ship, for planting only, any lot of Certified or War Approved seed Irish potatoes, as certified by the official seed potato certification agency of the State from which the respective lot is desired to be shipped. The Director may issue an order specifying the evidence necessary to be submitted, prior to the issuance of any such permit, with respect to whether any particular lot claimed to be of this nature is (i) composed of Certified or War Approved seed Irish potatoes, as aforesaid, and (ii) is to be used solely for planting purposes.

(7) The restrictions hereof shall be observed (by each person shipping or desiring to ship Irish potatoes) without regard to the rights of creditors, existing contracts, payments made, or to deliveries of Irish potatoes made prior to the effective date hereof. This order shall not, however, be construed as reducing the quantity of Irish potatoes which any person is required to offer or deliver under any existing contract with any Government agency.

(c) *Territorial scope.* This order is applicable to shipments of Irish potatoes from any State, or portion thereof, specified by the Director in orders issued by him, from time to time.

(d) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of Irish potatoes of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(e) *Records and reports.* The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(f) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the order administrator. Such petition shall be addressed to Order Administrator, War Food Order No. 120, Fruit and Vegetable Branch, Office of Distribution, War Food Administration, Washington 25, D. C. Petitions for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The order administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the order administrator on the petition,

he shall obtain, by requesting the order administrator therefor, a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (f) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(g) *Violations.* Any person who violates any provision of this order, may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using Irish potatoes. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(h) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order; and one such employee shall be designated by the Director to serve as order administrator, and another such employee shall be designated by the Director to serve as alternate order administrator, and such other employees as may be necessary shall be designated by the Director to serve as deputy order administrators.

(i) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise provided herein or in instructions issued by the Director, be addressed to the Order Administrator, War Food Order No. 120, Fruit and Vegetable Branch, Office of Distribution, War Food Administration, Washington 25, D. C.

(j) *Provisions of certain orders not applicable.* The provisions of War Food Order No. 73, as revised and amended (9 F. R. 10036) and of War Food Order No. 74, as amended on July 14, 1944 (9 F. R. 8002) do not apply to Irish potatoes.

(k) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., December 11, 1944.

NOTE: Specific reporting and record-keeping requirements issued by the Director pursuant to this order will be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9230, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 8th day of December 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-18690; Filed, Dec. 9, 1944;
3:04 p. m.]

[WFO 120-1]

PART 1405—FRUITS AND VEGETABLES

IRISH POTATOES

Pursuant to the authority vested in me by War Food Order No. 120 (*supra*), issued on December 8, 1944, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1405.49 *Territorial scope*—(a) *Definitions.* Each term defined in War Food Order No. 120 shall, when used herein, have the same meaning as is set forth for the respective term in said War Food Order No. 120.

(b) *Specifications relative to territorial scope.* The provisions of War Food Order No. 120 shall be applicable to any shipment of Irish potatoes from each of the following areas:

(1) The County of Malheur in the State of Oregon, and the State of Idaho, except Idaho County and all counties north thereof in the State of Idaho; and

(2) The Counties of Crook, Deschutes, and Klamath in the State of Oregon, and the Counties of Modoc and Siskiyou in the State of California.

(c) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., December 11, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 120)

Issued this 8th day of December 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-18691; Filed, Dec. 9, 1944;
3:04 p. m.]

[WFO 4-6, Amdt. 1]

PART 1450—TOBACCO

CIGAR FILLER AND BINDER TYPES OF TOBACCO

War Food Order No. 4-6 (9 F.R. 6667), issued by the Director of Distribution on June 13, 1944, is amended as follows:

1. By deleting therefrom the provisions in § 1450.13 (a) (2) and inserting, in lieu thereof, the following:

(2) "Class A tobacco" means tobacco of the 1944 crop of cigar binder types numbered 51, 52, and 53, as defined in the Service and Regulatory Announcement No. 118 (7 CFR 30.1 et seq.) of the United States Department of Agriculture, promulgated by the Secretary of Agriculture on October 14, 1929.

(3) "Class B tobacco" means tobacco of the 1944 crop of cigar filler types numbered 41, 42, 43, and 44, and cigar binder types numbered 54 and 55, as defined in the Service and Regulatory Announcement No. 118 (7 CFR 30.1 et seq.) of the United States Department of Agriculture, promulgated by the Secretary of Agriculture on October 14, 1929.

2. By deleting therefrom the provisions in § 1450.13 (b) and inserting, in lieu thereof, the following:

(b) *Restrictions.* (1) No person shall, in any manner whatsoever, purchase, contract to purchase, or accept an option to purchase Class A tobacco during

the period from the effective time hereof until 8:00 a. m., e. w. t., December 18, 1944.

(2) After the effective time hereof, no person shall, in any manner whatsoever, purchase, contract to purchase, or accept an option to purchase Class B tobacco.

The provisions hereof shall become effective at 12:01 a. m., e. w. t., December 10, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 4-6 prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 4-6 in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 4, as amended, 8 F.R. 335, 828, 11331, 9 F.R. 4321, 4319, 9584)

Issued this 9th day of December 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-18692; Filed, Dec. 9, 1944;
4:21 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4643]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

UTAH WHOLESALE GROCERY, ET AL.

§ 3.24 (e) *Coercing and intimidating—Suppliers of competitors—By boycotting and threats of:* § 3.27 (h) *Combining or conspiring—To restrain and monopolize trade:* § 3.33 (e) *Cutting off competitors' supplies—Threatening withdrawal of patronage:* § 3.36 *Cutting prices arbitrarily, or with intent or effect of competitive loss.* In connection with the purchase or sale of merchandise in commerce, and on the part of respondents Utah Wholesale Grocery, Symms-Utah Grocer Company, Zion's Wholesale Grocery and John Scowcroft & Sons Company and on the part of their officers, etc., entering into, continuing, cooperating in, or carrying out any planned common course of action, agreement, understanding, combination, or conspiracy between or among any two or more of the respondents, or between any one or more of the respondents and others not parties to this proceeding to (1) boycott or threaten to boycott manufacturers or jobbers for selling merchandise to any of respondents' competitors or to any potential competitor of respondents; (2) through threats and coercion, cause manufacturers or jobbers who have sold merchandise to respondents' competitors to divert shipments of such merchandise to persons other than the purchasers thereof; (3) reduce prices on such merchandise as is bought and sold both by respondents and their competitors with the purpose or effect of causing such competitors to sustain a loss on such merchandise; or (4) engage in any act or

practice substantially similar to those set out in this order with the purpose or effect of lessening, hindering, restraining or preventing competition in the purchase or sale of merchandise in the trade territory in which the respondents operate; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C. sec. 45b) [Cease and desist order, Utah Wholesale Grocery, et al., Docket 4643, October 28, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of October, A. D. 1944.

In the Matter of Utah Wholesale Grocery, a Corporation, Symms-Utah Grocer Co., a Corporation, Zion's Wholesale Grocery, a Corporation, and John Scowcroft & Sons Company, a Corporation

This proceeding having been heard by the Federal Trade Commission on the complaint of the Commission and the substitute answers of the respondents, in which answers the respondents admit all of the material allegations of fact set forth in the complaint and waive all intervening procedure and further hearing as to the facts; and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Utah Wholesale Grocery, Symms-Utah Grocer Co., Zion's Wholesale Grocery, and John Scowcroft & Sons Company, corporations, and their officers, representatives, agents, and employees, in connection with the purchase or sale of merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out any planned common course of action, agreement, understanding, combination, or conspiracy between or among any two or more of the respondents, or between any one or more of the respondents and others not parties to this proceeding, to do or perform any of the following acts or things:

1. Boycotting or threatening to boycott manufacturers or jobbers for selling merchandise to any of respondents' competitors or to any potential competitor of respondents.

2. Through threats and coercion, causing manufacturers or jobbers who have sold merchandise to respondents' competitors to divert shipments of such merchandise to persons other than the purchasers thereof.

3. Reducing prices on such merchandise as is bought and sold both by respondents and their competitors with the purpose or effect of causing such competitors to sustain a loss on such merchandise.

4. Engaging in any act or practice substantially similar to those set out in this order with the purpose or effect of lessening, hindering, restraining or preventing competition in the purchase or sale of merchandise in the trade territory in which the respondents operate.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-18746; Filed, Dec. 11, 1944;
11:19 a. m.]

[Docket No. 4763]

PART 3—DIGEST OF CEASE AND DESIST
ORDERS

SAVOY MANUFACTURING CO.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer or seller—Manufacturer:* § 3.96 (b) *Using misleading name—Vendor—Producer or laboratory status of dealer or seller:* § 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with the offering for sale, sale, and distribution of electrical appliances, carpet sweepers, cutlery, blankets, comforters, bedspreads, lamps, tableware, chinaware, luggage, furniture, or other merchandise in commerce, (1) supplying, etc., others with any "club-plan" catalogs, cards, or other articles, or any other sales promotion plan, either with assortments of merchandise or separately, which plan is so designed that its use in the distribution of merchandise constitutes the operation of a game of chance, gift enterprise, or lottery scheme; (2) supplying, etc., others with bingo paraphernalia or similar devices, either with assortments of merchandise or separately, which bingo paraphernalia or similar devices are to be used, or may be used, in selling or distributing said merchandise to the public; (3) selling, etc., any merchandise by means of a game of chance, gift enterprise, or lottery scheme; or (4) using the word "manufacturing", or any word or words of similar import or meaning, in or as a part of any trade or corporate name used to designate their business or representing in any other manner that merchandise not manufactured by respondents is manufactured by them; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Savoy Manufacturing Company, Docket 4763, November 1, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 1st day of November, A. D. 1944.

In the Matter of Charles Deer and Jack Deer, Individuals Trading as Savoy Manufacturing Company

This proceeding having been heard by the Federal Trade Commission on the complaint of the Commission, the answer of respondents, testimony and other evidence taken before an examiner of the Commission theretofore duly designated

by it, report of the trial examiner, and briefs in support of and in opposition to the complaint (oral argument not having been requested), and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondents Charles Deer and Jack Deer, jointly or severally, their representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of electrical appliances, carpet sweepers, cutlery, blankets, comforters, bedspreads, lamps, tableware, chinaware, luggage, furniture, or other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Supplying to or placing in the hands of others any "club-plan" catalogs, cards, or other articles, or any other sales promotion plan, either with assortments of merchandise or separately, which plan is so designed that its use in the distribution of merchandise constitutes the operation of a game of chance, gift enterprise, or lottery scheme.

2. Supplying to or placing in the hands of others bingo paraphernalia or similar devices, either with assortments of merchandise or separately, which bingo paraphernalia or similar devices are to be used, or may be used, in selling or distributing said merchandise to the public.

3. Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise, or lottery scheme.

4. Using the word "manufacturing", or any word or words of similar import or meaning, in or as a part of any trade or corporate name used to designate their business or representing in any other manner that merchandise not manufactured by respondents is manufactured by them.

It is further ordered, That respondents shall, within sixty (60) days after the service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-16747; Filed, Dec. 11, 1944;
11:19 a. m.]

[Docket No. 5154]

PART 3—DIGEST OF CEASE AND DESIST
ORDERS

ARTHUR VON SEIBER CO., INC.

§ 3.6 (b) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (g10) *Advertising falsely or misleadingly—Scientific or other relevant facts:* § 3.55 *Furnishing means and instrumentalities of misrepresentation and deception.* In connection with the offering for sale, sale, and distribution of respondent's metal-covered books in commerce, (1) represent-

ing, directly⁴ or by implication, that respondent's books are capable of stopping or deflecting bullets, shrapnel, or bayonet thrusts, or otherwise affording physical protection to persons carrying such books; (2) representing, directly or by implication, that respondent's books are approximately the size of the left breast pocket of a soldier's uniform, or that such books fit over or protect the heart; or (3) supplying to dealers news items or other printed or written material representing, directly or by implications, that books such as those sold by respondent are capable of affording physical protection to persons carrying them; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C. sec. 45b) [Cease and desist order, Arthur Von Senden Company, Inc., Docket 5154, October 25, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of October, A. D. 1944.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, and stipulations of fact entered into between the attorney for the Commission and the attorney for respondent; and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Arthur Von Senden Company, Inc., a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of respondent's metal-covered books in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that respondent's books are capable of stopping or deflecting bullets, shrapnel, or bayonet thrusts, or otherwise affording physical protection to persons carrying such books.

2. Representing, directly or by implication, that respondent's books are approximately the size of the left breast pocket of a soldier's uniform, or that such books fit over or protect the heart.

3. Supplying to dealers news items or other printed or written material representing, directly or by implications, that books such as those sold by respondent are capable of affording physical protection to persons carrying them.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-18748; Filed, Dec. 11, 1944; 11:19 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51157]

PART 6—AIR COMMERCE REGULATIONS

OGDENSBURG MUNICIPAL AIRPORT, OGDENSBURG, N. Y.; REDESIGNATION AS AIRPORT OF ENTRY

DECEMBER 7, 1944.

The Ogdensburg Municipal Airport, Ogdensburg, New York, is hereby redesignated as an airport of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (U.S.C. title 49, sec. 179 (b)), for a period of one year from December 10, 1944.

The list of temporary airports of entry in § 6.13, Customs Regulations of 1943 (19 CFR, Cum. Supp., 6.13), is hereby amended by changing the date of designation opposite the name of this airport to "December 10, 1944."

(Sec. 7 (b), 44 Stat. 572; 49 U.S.C. 177 (b))

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-18670; Filed, Dec. 9, 1944; 11:09 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T. D. 5420]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

PENALTIES IN CONNECTION WITH ESTIMATED TAX

In order to conform Regulations 111 (26 CFR, Cum. Supp., Part 29) to section 13 (b) and (c) of the Individual Income Tax Act of 1944 (Public Law 315, 78th Congress), approved May 29, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 29.294-1, added by Treasury Decision 5305, approved November 12, 1943, the following:

SEC. 13. ESTIMATED TAX OF INDIVIDUALS. (Individual Income Tax Act of 1944, Part I.)

(b) *Technical amendment to section 294 (d).* The last sentence of section 294 (d) (1) (A) (relating to additions to the tax in case of failure to file declaration of estimated tax) is amended to read as follows: "for the purposes of this subparagraph the amount and due date of each installment shall be the same as if a declaration had been filed within the time prescribed showing an estimated tax equal to the correct tax reduced by the credits under sections 32 and 35."

(c) *Penalty for underestimate for 1944.* For the purposes of section 294 (d) (2) (relating to underestimate of estimated tax), in the case of a taxpayer filing a declaration

for a taxable year beginning in the calendar year 1944 the term "80 per centum of the tax" as appearing in such subsection shall be taken to refer to 80 per centum of whichever of the following is the lesser: (1) a tax computed under the law applicable to such taxable year without regard to the amendments made by this Act, and (2) a tax computed under such law as amended by this Act.

SEC. 2. TAXABLE YEAR TO WHICH APPLICABLE. (Individual Income Tax Act of 1944, Part I.)

Except as otherwise expressly provided, the amendments made by this part shall be applicable with respect to taxable years beginning after December 31, 1943.

PAR. 2. Section 29.294-1, as amended by Treasury Decision 5403, approved September 5, 1944, is further amended as follows:

(A) By striking out the sentence in paragraph (b) (1) beginning with the words "For the purpose of determining the addition to the tax under section 294 (d) (1) (A)" and inserting in lieu thereof the following: "For the purposes of section 294 (d) (1) (A) the amount and due date of each installment shall be the same as if a declaration had been filed within the time prescribed showing an estimated tax equal to the correct tax reduced by the credits for tax withheld at source."

(B) By striking from the third sentence of paragraph (b) (3) "beginning in 1943" and inserting in lieu thereof: "beginning after December 31, 1942".

(C) By striking from paragraph (b) (3) (i) "(increased by the amounts of the credits for taxes withheld at source under sections 143, 1622 and 466)" and inserting in lieu thereof "(increased by the amount of the credit for taxes withheld at source on wages and the credit under section 32)".

(D) By amending subdivisions (a) and (b) of paragraph (b) (3) (iii) to read as follows:

(a) The excess of 80 percent of the tax (or 66 $\frac{2}{3}$ percent in the case of farmers exercising an option under section 60 (a)) determined without regard to the credit for taxes withheld at source on wages and the credit under section 32 over the amount of the estimated tax increased by such credits; or

(b) 6 percent of the excess of the tax determined without regard to the credit for taxes withheld at source on wages and the credit under section 32 over the amount of the estimated tax increased by such credits,

(E) By inserting immediately preceding the paragraph of paragraph (b) (3) which begins with the words "The addition to the tax for substantial underestimate" the following new paragraph:

In the case of a taxpayer filing a declaration of estimated tax for a taxable year beginning in 1944, the term "tax" as it appears in the expressions "80 percent of the tax" in subdivisions (i) and (iii) (a) of this subparagraph, "66 $\frac{2}{3}$ percent of the amount of the tax" in subdivision (ii) of this subparagraph, and "6 percent of the excess of the tax" in subdivision (iii) (b) of this subparagraph, shall be taken to refer to the

lesser of the following: A tax computed under the law applicable to such taxable year without regard to the amendments made by the Individual Income Tax Act of 1944, and a tax computed under the law applicable to such year.

(F) By amending the paragraph of paragraph (b) (3) which begins with the words "The addition to the tax for substantial underestimate" to read as follows:

The addition to the tax for substantial underestimate of the estimated tax shall not apply to the taxable year in which the taxpayer makes a timely payment of estimated tax within or before each quarter of such year in an amount at least as great as though such estimated tax were computed under the law applicable to the taxable year on the basis of the taxpayer's status with respect to the personal exemption and credit for dependents on the date of filing the declaration, and on the basis of the tax withheld, and reasonably expected on the date of the filing of the declaration to be withheld, on wages received during the calendar year ending with or within the taxable year, but otherwise as though such estimated tax were computed on the basis of the net income and the surtax net income shown on the taxpayer's return for the preceding taxable year, adjusted to conform to the law applicable to the taxable year. The net income and the surtax net income shown on the taxpayer's return for the preceding taxable year shall be considered to be zero for the purposes of this section if for such year the taxpayer did not file a return and was not required to file a return. In the case of farmers exercising an election under section 60 (a), such addition to the tax shall not apply to the taxable year in which the taxpayer makes a timely payment of estimated tax within the last quarter of such year in an amount at least as great as though computed under the law applicable to the taxable year on the basis of the taxpayer's status with respect to the personal exemption and credit for dependents on the date of filing the declaration, but otherwise as though computed on the basis of the net income and the surtax net income shown on the taxpayer's return for the preceding taxable year, adjusted to conform to the law applicable to the taxable year. In the case of a taxable year beginning in 1943, those quarters of the taxable year which began before July 1, 1943, are excluded for the purpose of determining the application of the relief provision under section 294 (d) (2). As used in this paragraph the expression "personal exemption and credit for dependents" shall for taxable years beginning after December 31, 1943, be taken to refer to the normal-tax exemption and surtax exemptions; also for such years, the expression "each quarter" shall be taken to include the period (ending with the 15th day of the first month of the succeeding taxable year) within which the last installment of the estimated tax is required to be paid, and the expression "last quarter" shall mean the period (similarly ending with the 15th day of the first month of

the succeeding taxable year) within which farmers exercising an election under section 60 (a) are required to pay the estimated tax.

(Sec. 13 (b) and (e), Individual Income Tax Act of 1944 (Public Law 315, 73th Congress) and section 62, I. R. C. (53 Stat. 32; 26 U.S.C. 62))

JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: December 8, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-18609; Filed, Dec. 9, 1944;
11:03 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 655—MINIMUM WAGE RATES IN THE NEEDLEWORK INDUSTRIES IN PUERTO RICO

RECOMMENDATION OF SPECIAL INDUSTRY COMMITTEE NO. 3

Whereas, on February 11, 1944, pursuant to section 5 (e) of the Fair Labor Standards Act of 1933, hereinafter called the act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 227, appointed Special Industry Committee No. 3 for Puerto Rico, hereinafter called the Committee, and directed the Committee to first proceed to investigate conditions and to recommend to the Administrator minimum wage rates for employees in the Sugar, Rum, Industrial Alcohol, Shipping, Banking and Insurance, Tobacco, and Needlework Industries in accordance with the provisions of the act and rules and regulations promulgated thereunder; and

Whereas, the Committee included three representatives of the public, and a like number representing employers, and a like number representing employees in the Needlework Industries, and was composed of residents of Puerto Rico and residents of the United States outside of Puerto Rico; and

Whereas, on June 2, 1944, the Committee, after investigating conditions in the Needlework Industries, filed with the Administrator a report containing its definitions of the Needlework Industries and its separable recommendations for minimum wage rates for employees engaged in commerce or in the production of goods for commerce in the Needlework Industries, namely (1) 15 cents per hour to the employees in the Handkerchief and Household Art Linens Division engaged in hand sewing operations, and 24 cents per hour where engaged in other operations; (2) 15 cents per hour to the employees in the Cotton Underwear and Infants' Underwear Division engaged in hand sewing operations, and 24 cents per hour where engaged in other operations; (3) 15 cents per hour to the employees in the Infants' Wear Division engaged in hand sewing operations, and 24 cents per hour where engaged in other

operations; (4) 15 cents per hour to the employees in the Needlepoint and Hand-Hooked Rug Division engaged in hand sewing operations, and 24 cents per hour where engaged in other operations; (5) 10 cents per hour to the employees in the Woven and Knitted Fabric Glove Division engaged in hand sewing operations, and 24 cents per hour where engaged in other operations; (6) 22 cents per hour to the employees in the Leather Glove Division engaged in hand sewing operations, and 24 cents per hour where engaged in other operations; (7) 18 cents per hour to the employees in the Silk and Rayon Underwear Division engaged in hand sewing operations, and 27 cents per hour where engaged in other operations; (8) 24 cents per hour to employees engaged in the Wearing Apparel Division, whether employed on hand sewing or other operations; and (9) 15 cents per hour to the employees in the Miscellaneous Handwork Division engaged in hand sewing operations, and 24 cents per hour where engaged in other operations; and

Whereas, pursuant to a notice published in the FEDERAL REGISTER and in newspapers in Puerto Rico and mailed to all interested persons, a public hearing upon the Committee's recommendations was held before the Administrator on August 10, 1944, at which all interested persons were given an opportunity to be heard; and

Whereas, the Administrator, upon reviewing all the evidence adduced in this proceeding and after giving consideration to the provisions of the act, particularly sections 5 and 8 thereof, has concluded that the separable recommendations of the Committee for minimum wage rates in the Needlework Industries as defined were made in accordance with law, are supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered to the Committee, will carry out the purposes of sections 5 and 8 of the act; and

Whereas, the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendations of Special Industry Committee No. 3 for Puerto Rico for Minimum Wage Rates in the Needlework Industries in Puerto Rico," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York 19, New York:

Now, therefore, it is ordered that

- Sec.
655.1 Approval of recommendations of Industry Committee.
655.2 Wage rates.
655.3 Notices of order.
655.4 Definitions of the Division of the Needlework Industries.
655.5 Effective date.

AUTHORITY: §§ 655.1 to 655.5, inclusive, issued under the authority contained in act, 8, 52 Stat. 1034; 29 U.S.C. Sup. IV, 293.-

§ 655.1 Approval of recommendations of Industry Committee. The Commit-

tee's recommendations and each of them are hereby approved.

§ 655.2 *Wage rates.* (a) (1) Wages at a rate of not less than 15 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the Handkerchief and Household Art Linens Division who is engaged in hand sewing operations, including, but not by way of limitation, hand drawing, hand rolling, and embroidering and embellishing by hand, and who is engaged in commerce or in the production of goods for commerce.

(2) Wages at a rate of not less than 24 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the Handkerchief and Household Art Linens Division who is engaged in other operations, including, but not by way of limitation, cutting, machine operating, stamping, sorting, ribboning, washing, finishing, pressing, examining, and packing, and who is engaged in commerce or in the production of goods for commerce.

(b) (1) Wages at a rate of not less than 15 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the Cotton Underwear and Infants' Underwear Division who is engaged in hand sewing operations, including, but not by way of limitation, hand drawing, hand rolling, and embroidering and embellishing by hand, and who is engaged in commerce or in the production of goods for commerce.

(2) Wages at a rate of not less than 24 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the Cotton Underwear and Infants' Underwear Division who is engaged in other operations, including, but not by way of limitation, cutting, stamping, machine operating, sorting, washing, finishing, pressing, examining, and packing, and who is engaged in commerce or in the production of goods for commerce.

(c) (1) Wages at a rate of not less than 15 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the Infants' Wear Division who is engaged in hand sewing operations, including, but not by way of limitation, hand drawing, hand rolling, and embroidering and embellishing by hand, and who is engaged in commerce or in the production of goods for commerce.

(2) Wages at a rate of not less than 24 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the Infants' Wear Division who is engaged in other operations, including, but not by way of limitation, cutting, machine operating, stamping, sorting, pinning, washing, finishing, pressing, examining, and packing, and who is engaged in commerce or in the production of goods for commerce.

(d) (1) Wages at a rate of not less than 15 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the Needlepoint and Hand-Hooked Rug Division who is engaged in hand sewing operations, including, but not by way of limitation, embroidering and embellishing by hand,

and who is engaged in commerce or in the production of goods for commerce.

(2) Wages at a rate of not less than 24 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the Needlepoint and Hand-Hooked Rug Division who is engaged in other operations, including, but not by way of limitation, cutting, stamping, sorting, finishing, and packing, and who is engaged in commerce or in the production of goods for commerce.

(e) (1) Wages at a rate of not less than 18 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the Woven and Knitted Fabric Glove Division who is engaged in hand sewing operations, including, but not by way of limitation, hand drawing, hand rolling, and embroidering and embellishing by hand, and who is engaged in commerce or in the production of goods for commerce.

(2) Wages at a rate of not less than 24 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the Woven and Knitted Fabric Glove Division who is engaged in other operations, including, but not by way of limitation, cutting, machine operating, stamping, sorting, washing, finishing, pressing, examining, and packing, and who is engaged in commerce or in the production of goods for commerce.

(f) (1) Wages at a rate of not less than 22 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the Leather Glove Division who is engaged in hand sewing operations, including, but not by way of limitation, hand drawing, hand rolling, and embroidering and embellishing by hand, and who is engaged in commerce or in the production of goods for commerce.

(2) Wages at a rate of not less than 24 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the Leather Glove Division who is engaged in other operations, including, but not by way of limitation, cutting, machine operating, stamping, sorting, washing, finishing, pressing, examining, and packing, and who is engaged in commerce or in the production of goods for commerce.

(g) (1) Wages at a rate of not less than 18 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the Silk and Rayon Underwear Division who is engaged in hand sewing operations, including but not by way of limitation, hand drawing, hand rolling, and embroidering and embellishing by hand, and who is engaged in commerce or in the production of goods for commerce.

(2) Wages at a rate of not less than 27 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the Silk and Rayon Underwear Division who is engaged in other operations, including but not by way of limitation, cutting, machine operating, stamping, sorting, cleaning, finishing, pressing, examining, and packing, and who is engaged in

commerce or in the production of goods for commerce.

(h) Wages at a rate of not less than 24 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the Wearing Apparel Division, whether employed on hand sewing or other operations, who is engaged in commerce or in the production of goods for commerce.

(i) (1) Wages at a rate of not less than 15 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the Miscellaneous Handwork Division who is engaged in hand sewing operations and who is engaged in commerce or in the production of goods for commerce.

(2) Wages at a rate of not less than 24 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the Miscellaneous Handwork Division who is engaged in other operations, including, but not by way of limitation, cutting, machine operating, stamping, sorting, pinning, washing, finishing, pressing, examining and packing, and who is engaged in commerce or in the production of goods for commerce.

§ 655.3 *Notices of order.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the Needlework Industries in Puerto Rico shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor and shall give such other notice as the Division may prescribe.

§ 655.4 *Definitions of the Divisions of the Needlework Industries.* The divisions of the Needlework Industries in Puerto Rico, to which this wage order and its several provisions shall apply, are hereby defined as follows:

(a) *Handkerchief and Household Art Linens Division.* The term "Handkerchief and Household Art Linens Division" shall mean the manufacture of handkerchiefs, plain or ornamented, and the manufacture of household art linens including, but not by way of limitation, table cloths, napkins, bridge sets, luncheon cloths, table covers, sheets, pillow cases, and towels.

(b) *Cotton Underwear and Infants' Underwear Division.* The term "Cotton Underwear and Infants' Underwear Division" shall mean the manufacture from cotton of women's, misses' and children's underwear and nightwear, including, but not by way of limitation, slips, nightgowns, negligees, panties, step-ins, pajamas, and similar articles, and the manufacture from silk, cotton, rayon, or other synthetic fiber of underwear and nightwear for infants under three years of age.

(c) *Infants' Wear Division.* The term "Infants' Wear Division" shall mean the manufacture of dresses, rompers, creepers, sportswear and play apparel, for infants under three years of age.

(d) *Needlepoint and Hand-Hooked Rug Division.* The term "Needlepoint and Hand-Hooked Rug Division" shall mean the manufacture of needlepoint on canvas or other material and the manufacture of hand-hooked rugs.

(e) *Woven and Knitted Fabric Glove Division.* The term "Woven and Knitted Fabric Glove" Division shall mean the manufacture of all gloves or mittens from woven or knitted fabrics.

(f) *Leather Glove Division.* The term "Leather Glove Division" shall mean the manufacture of all gloves and mittens from leather or from leather in combination with woven or knitted fabrics.

(g) *Silk and Rayon Underwear Division.* The term "Silk and Rayon Underwear Division" shall include:

(1) The manufacture from silk of women's, misses', and children's underwear and nightwear, including but not by way of limitation, slips, nightgowns, negligees, panties, step-ins, pajamas, and similar articles.

(2) The manufacture from rayon or other synthetic fiber of women's, misses', and children's underwear and nightwear including, but not by way of limitation, slips, nightgowns, negligees, panties, step-ins, pajamas, and similar articles.

(h) *Wearing Apparel Division.* The term "Wearing Apparel Division" shall include the manufacture of all apparel, apparel furnishings, and accessories, made by the cutting, sewing, or embroidering processes and not elsewhere specified, but not including hosiery; handbags; men's fur-felt, wool-felt, straw and silk hats and bodies; ladies' and children's millinery; furs; and boots and shoes.

(i) *Miscellaneous Handwork Division.* The term "Miscellaneous Handwork Division" shall mean all hand-made needlework products, made from textile fiber, not included in other divisions of the Needlework Industries including, but not by way of limitation, sewing, crocheting, knitting, embroidering, appliqueing, quilting and tufting.

§ 655.5 *Effective date.* This wage order shall become effective January 1, 1945.

Signed at New York this 7th day of December, 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-18714; Filed, Dec. 11, 1944;
10:55 a. m.]

Chapter VI—National War Labor Board

PART 802—RULES OF PROCEDURE

RULINGS BY NATIONAL WAGE STABILIZATION DIRECTOR

Correction

The second sentence of § 802.50 (b) of Federal Register document 44-18537, appearing at page 14382 of the issue for Friday, December 8, 1944, should read in part as follows: "Such petition, if filed, shall be in writing and shall be accompanied * * *"

No. 247—2

TITLE 30—MINERAL RESOURCES

Chapter IV—Petroleum Conservation Division, Department of the Interior

PART 403—REPORTS AND INSPECTIONS OF FACILITIES AND AGENCIES FOR THE PRODUCTION, PROCESSING, STORAGE AND TRANSPORTATION OF PETROLEUM AND PETROLEUM PRODUCTS

MONTHLY REPORTS

By virtue of the authority vested in me by Executive Order No. 7756 of December 1, 1937 (30 CFR 401.1), § 403.9 of the regulations governing the administration and enforcement of the act of February 22, 1935 (49 Stat. 30; 15 U.S.C. secs. 715-7151), as amended by the acts of June 14, 1937 (50 Stat. 257), June 29, 1939 (53 Stat. 927), and June 22, 1942 (56 Stat. 381), is amended to read as follows:

§ 403.9 *Monthly reports.* Each producer, refiner, reclamation plant, casing-head gasoline plant, transporting agency, and storer of petroleum or petroleum products in the designated area shall file with the board monthly reports on forms approved by the Secretary of the Interior. Each report on such forms shall be subscribed and sworn to by the person required to file the same, using the form of affidavit therein contained, and the person required to file the report must make therein a full, truthful and complete disclosure of all the information required on the form and necessary to the full use thereof: *Provided*, That if the board shall find that reports required of any person or corporation to whom this section applies serve no useful purpose it may by written notice to such person or corporation relieve him or it of the obligation to submit such reports for any specified period of time or until further notice.

HAROLD L. ICKES,
Secretary of the Interior.

AUGUST 30, 1943.

Approved: September 9, 1943.

FRANKLIN D. ROOSEVELT,
The White House.

[F. R. Doc. 44-18701; Filed, Dec. 11, 1944;
9:29 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 51 Stat. 676, as amended by 55 Stat. 226 and 56 Stat. 177; E.O. 9024, 7 F.R. 323; E.O. 9049, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1029—FARM MACHINERY

[Limitation Order L-257-a, as Amended
Dec. 9, 1944]

EXPORTS

§ 1029.16 *Limitation Order L-257-a—*
(a) *What this order does.* This order describes the rules governing the manufacture for export of machinery and equipment (both farm and non-farm)

and repair parts, and supplements Limitation Order L-257 covering domestic production. All general provisions of the domestic order, such as definitions and rules for production schedules, will apply to producers for export under this order, unless this order indicates otherwise. It is expected that this order L-257-a will be the basic export order from year to year, but that "applicable export schedules" of quotas will be issued for each "current quota period", just as explained in Order L-257 for domestic quotas. It may be assumed that the applicable export schedules in effect at any particular time will continue into the next "current quota period", until such time as new schedules are issued.

(b) *Additional definitions.* The definitions of Order L-257, unless otherwise indicated in this order, shall apply for the purpose of this order, and also the following:

(1) "Base shipment" means one-half the net shipping weight of the total quantity (as reported on Form PD-333) of farm machinery and equipment and repair parts in the aggregate exported by a producer during the calendar years 1940 and 1941 combined to any country or group of countries (except Canada) listed on an applicable export schedule.

(2) "Lend-Lease order" means any order for machinery and equipment (both farm and non-farm) or repair parts placed by any agency of the United States Government in response to a requisition filed pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(3) "Applicable export schedule" means any schedule which relates to a current quota period and fixes manufacturing quotas for the foreign country or countries listed for that period.

(c) *Restrictions on production for export—*(1) *General export quotas (except Canada).* During any current quota period, no producer shall manufacture for shipment, or ship, to foreign countries more machinery and equipment (both farm and non-farm) and repair parts than his quota for the particular country or countries, as indicated on the applicable export schedule. Where countries are listed on an applicable export schedule as a group with only one quota percentage, the producer's quota for all countries in the group as a whole is the listed percentage of his base shipments to those countries. Where countries are listed individually with separate quota percentages the producer's quota for each country is the applicable percentage of his base shipment to that country. Where the quota percentage is 0% for any country or group of countries listed, or where a particular foreign country is not listed at all, shipments can be made only by getting a special quota under paragraph (c) (4). These special quotas will be given only as the need arises.

Each export quota for a country or group of countries (except Canada) is an over-all tonnage, which the producer can divide up among farm machinery and equipment, non-farm machinery and equipment, and repair parts, as he chooses.

Exceptions to these general rules are stated in paragraph (d).

(2) *Canadian quotas.* During any current quota period, no producer shall manufacture for shipment to Canada more of any item of farm machinery and equipment (in units) than his quota as indicated on the applicable export schedule. For each item of farm machinery and equipment (excluding attachments) the producer's quota is half the number of that item (in units) shipped by him to Canada during the calendar years 1940 and 1941, multiplied by the percentage shown for the item on the schedule. (Non-farm machinery and equipment is not included in the above quotas and may not be shipped to Canada.)

There is no quota limitation on the manufacture of repair parts or attachments for Canada. However, it is necessary to comply with paragraph (e) with respect to production schedules.

Exceptions to these general rules are stated in paragraph (d).

(3) *Special restrictions.* No producer shall manufacture for shipment, or ship, to any foreign country (including Canada):

(i) Any item of farm machinery and equipment requiring rubber tires except the following items:

Wheel type tractors including garden type.
Combines.
Pick-up hay balers and field hay harvesters.
Corn pickers.
Power sprayers over ten gallons per minute.
Any item requiring tires to be mounted on wheel rims of the following sizes (diameter): 15", 16", 18", 20" and 21".

(ii) Any item of farm machinery and equipment or repair parts except to the extent listed on an approved production schedule under paragraph (e).

(4) *Adjustments in quotas.* The War Production Board may, by specific written directions or authorizations issued to any producer or other person affected by this order, increase or decrease any export quota or authorized use of materials; and may transfer any portions of quotas between producers, taking into account the amount and weight of materials to be used, the need for particular items at the time required in particular countries, the labor and transportation situation in the manufacturing areas involved, and such other factors as may be proper.

(d) *Exceptions—(1) Production before or after current quota periods—(i) Advance planning of production.* Before the beginning of any current quota period, producers may plan their advance production for export as explained for domestic production in subparagraph (d) (5) (i) of Order L-257.

(ii) *Carry-over of uncompleted portions of quotas.* Any portions of export quotas under an applicable export schedule (including all amendments, appeals and specific authorizations) which are not completely manufactured by the end of the current quota period, may be carried over and added to the corresponding quotas of the next current quota period, but only to the extent that the particular items are covered by an export license or release certificate issued by or under authority of the Foreign Economic Administration, or by a

Lend-Lease order, dated before July 1 of this next period. However, items for Canada may be carried over to the extent that they can be completed by July 31 of this next period. In addition, uncompleted quotas for the following items of harvesting machinery and equipment for Canada under Export Schedule X-10 (including special authorizations, etc.) may be carried over for completion any time before September 30, 1944:

Combines (Item 126 only).
Corn blenders (Item 132).
Corn pickers (Items 133-136).
Field ensilage harvesters (Item 137).
Corn shellers (Items 166 and 167 only).
Feed grinders and crushers (Items 174, 175, and 175a only).
Portable elevators (Item 188).

(iii) [Deleted July 10, 1944.]

(2) *Bracketed items for Canada.* Wherever, in an applicable export schedule for Canada, two or more items are bracketed together, the producer may distribute his total quota (in units) for that bracket among all the items in that bracket, as set forth for domestic items in paragraph (d) (2) of Order L-257.

(3) [Deleted Dec. 9, 1944.]

(e) *Production schedules.* Each producer who is not a "small producer" must have available for shipment export the quantities of items of machinery and equipment (both farm and non-farm) and repair parts as indicated on his production schedules which have been filed and approved in accordance with paragraph (e) of Order L-257. All provisions of that paragraph apply to production schedules for export, unless otherwise indicated.

(f) *Exceptions and appeals—(1) Production under Priorities Regulation 25.* Any person who wants to manufacture for shipment to foreign countries (including Canada) more farm machinery and equipment (except wheel-type tractors) than the quotas, fixed in the applicable export schedules or paragraph (c) (2) (i) of Order L-257, or who wants to manufacture for shipment to Canada any item not listed on the applicable schedule, may apply for permission to do so as explained in Priorities Regulation 25. He may still, of course, apply for authorization to increase his quota under paragraph (c) (4). With respect to repair parts, attachments and other items not subject to quota restrictions, a person may also apply as explained in Priorities Regulation 25 if he wants to make more of any of those items than are shown on his approved production schedule, or if he has no approved schedule for the item. The provisions of paragraphs (c) (3) (ii) and (e) of this order and paragraph (k) of Order L-257 with respect to approved production schedules and reports do not apply to production authorized under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order, other than the

restrictions of paragraphs (c) (1) and (c) (2), shall be made by filing a letter in triplicate with the War Production Board, Farm Machinery and Equipment Division, Washington 25, D. C., Ref.: L-257-a, referring to the particular provision appealed from and stating fully the grounds of the appeal. No appeal should be filed from the restrictions of paragraph (c) (1) or (c) (2).

(g) [Deleted Dec. 9, 1944.]

(h) *Communications.* All communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Farm Machinery and Equipment Division, Washington 25, D. C., Ref.: L-257-a.

Issued this 9th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHelan,
Recording Secretary.

[F. R. Doc. 44-18673; Filed, Dec. 9, 1944;
11:56 a. m.]

PART 1029—FARM MACHINERY

[Limitation Order L-257-a, Export Schedules X-11 through X-18 as Amended Dec. 9, 1944]

APPLICABLE EXPORT SCHEDULES OF QUOTAS FOR FARM MACHINERY, EQUIPMENT AND REPAIRS FOR EXPORT FOR THE CURRENT QUOTA PERIOD JULY 1, 1944, TO JUNE 30, 1945

§ 1029.18 *Export Schedule X-11 through X-18 to Limitation Order L-257-a.* In accordance with the provisions of Orders L-257 and L-257-a, the following are the "applicable export schedules" for the current quota period starting July 1, 1944. These are similar to the applicable export schedules for the current quota period ending June 30, 1944, with some minor changes and consolidations, and with certain changes in quota percentages.

The production quotas set forth in these export schedules should be used by producers as the basis for planning their production, establishing production schedules and ordering material under CMP. The War Production Board may establish a final distribution pattern which is not in accord with these quotas. Any additional controls or exemptions which may be desirable with regard to production quotas, and any modifications with respect to final distribution of completed machines, will be issued as the need arises. In figuring his anticipated production, each producer must comply with the provisions of the basic Limitation Orders L-257 and L-257-a, unless these export schedules state otherwise.

Quotas for countries listed on Schedules X-11, X-13, X-14, X-16, and X-18, below are expressed as a percentage of one-half the total net shipping weight of the 1940 and 1941 shipments of farm machinery and equipment and repair parts to all the countries in the particular group.

Quotas for countries listed on Schedule X-17 below are expressed as a percentage of one-half the total net shipping weight of the 1940 and 1941 shipments to each such country.

NOTE: A quota percentage is not established for countries listed in Schedule X-12 below. Quotas for these countries will be allocated specifically from time to time under paragraph (c) (4) of Order L-257-a.

SCHEDULE X-11—QUOTA PERCENTAGE 85%

Bolivia	Haiti
Brazil	Honduras
Chile	Mexico
Colombia	Nicaragua
Costa Rica	Panama
Cuba	Paraguay
Dominican Republic	Peru
Ecuador	Uruguay
El Salvador	Venezuela
Guatemala	

NOTE: Argentina has been transferred to Schedule X-12.

SCHEDULE X-12—QUOTA PERCENTAGE 0%

Aden	Iceland
Arabia Peninsula	Italian Somaliland
States	Italy
Argentina	Liberia
Azores	Madagascar
Bahrein Island	Malta and Gozo
Belgian Congo	Mauritius and
Belgium	Dependencies
British Oceania	Miquelon and St.
British Somaliland	Pierre
Canary Islands	Mozambique
Cape Verde Islands	Netherlands
Ceylon	Newfoundland
China	Norway
Curaçao	Poland
Cyprus	Portugal
Cyrenaica	Portuguese Guinea
Denmark	and Angola
Elire	Rio de Oro and
Ethiopia	Spanish Guinea
Falkland Islands	St. Helena and
France	Dependencies
French Cameroons	Spain
French Equatorial	Spanish Morocco
Africa	Surinam (Dutch
French Guiana	Guiana)
French Oceania	Sweden
French Somaliland	Switzerland
French West Africa	Syria
French West Indies	Tangier
Gibraltar	Tripolitania
Greece	U. S. S. R.
Greenland	Yugoslavia

SCHEDULE X-13—QUOTA PERCENTAGE 64%

United Kingdom:
Great Britain
North Ireland
Scotland
Wales

SCHEDULE X-14—QUOTA PERCENTAGE 712%

French North Africa:
Algeria
French Morocco
Tunisia

SCHEDULE X-15—QUOTA PERCENTAGE 150%

British West Indies:
Bahamas
Barbados
Bermuda
Jamaica
Leeward Islands
Trinidad and Tobago
Windward Islands

SCHEDULE X-16—QUOTA PERCENTAGE 37%

British West Africa:
Cameroons (British)
Gambia
Gold Coast
Nigeria
Sierra Leone

SCHEDULE X-17—QUOTA PERCENTAGE

NOTE: Schedule X-17 amended July 10, 1944.

Australia	494
British East Africa	164
British Honduras	83
British Guiana	490
Egypt and Sudan	570
India	54
Iran	53
Iraq (Mesopotamia)	590
New Zealand	232
Palestine	293
North and South Rhodesia	330
Turkey	67
Union of South Africa	167

CANADA

SCHEDULE X-18

NOTE: Schedule X-18 amended December 9, 1944.

Quotas for the following items of farm machinery and equipment (excluding attachments) are expressed as a percentage of one-half the number of units of each item shipped to Canada during the combined calendar years 1940 and 1941; where applicable, the item numbers correspond to those in Schedule B of Order L-257. Bracketed items may be handled as indicated in paragraph (d) (2).

There are no quota limitations on the manufacture of repair parts or attachments for Canada.

Items not listed are not to be manufactured for shipment to Canada.

GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY

DIVISION 1: PLANTERS (HORSE AND TRACTOR DRAWN)

Item	Quota Percentages
4 Two row, corn	81
6 Three row and over, corn	83

DIVISION 2: PLANTERS (TRACTOR MOUNTED)

10 Two row, corn	81
12 Three row and over, corn	83

DIVISION 3: POTATO PLANTERS (HORSE AND TRACTOR DRAWN)

14 One row	152
14a Two row and larger	152

DIVISION 4: TRANSPLANTERS

15 Horse or tractor drawn, tractor mounted or self-propelled	57
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DIVISION 7: BEET AND BEAN DRILLS OR PLANTERS

23 Horse or tractor drawn, or tractor mounted	124
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DIVISION 8: GRAIN DRILLS

25 Fertilizer drills, horse or tractor drawn	67
26 Plain drills, horse or tractor drawn	82
26a Plain, over 14 run, horse or tractor drawn	82
(*) Press drill, horse or tractor drawn	37

DIVISION 10: GARDEN PLANTERS

30 Hand, wheel type	125
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DIVISION 12: LIME SPREADERS (COWERS)

33 Wheeled hopper type cower, horse or tractor drawn	84
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* No applicable item number on Schedule B of Order L-257.

GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY—Continued

DIVISION 13: MANURE SPREADERS AND LOADERS

Item	Quota Percentages
35 Four Wheel, horse or tractor drawn	193
37 Two Wheel, tractor drawn	131

GROUP 2: FARM FLOWS AND LISTERS

DIVISION 1: MOLDBOARD FLOWS (HORSE DRAWN)

44 Walking, two horse and larger	57
46 Gang, two bottom and larger	26

DIVISION 2: MOLDBOARD FLOWS (TRACTOR DRAWN OR MOUNTED)

47 One bottom, tractor drawn	83
48 Two bottom, tractor drawn	83
49 Three bottom, tractor drawn	83
50 Four bottom, tractor drawn	83
51 Five bottom and larger, tractor drawn	83
52 One bottom, tractor mounted	74
53 Two bottom, tractor mounted	73

DIVISION 4: DISC FLOWS (TRACTOR DRAWN)

55 Two disc	0
57 Three disc	0

DIVISION 5: ONE-WAY DISC FLOWS OR TILLES

63 Under five feet	94
63a Five feet and over	94
(*) Seed boxes for one-way plows (classified as attachments)	

GROUP 3: HARROWS, ROLLERS, PULVERIZERS & STALK CUTTERS

DIVISION 1: FARM TYPE HARROWS

78 Spike tooth harrow sections (steel), horse or tractor drawn	65
79 Spring tooth harrow sections (steel), horse or tractor drawn	65
80 Disc harrows, horse drawn	59
80a Disc harrows, tractor drawn or mounted	82

DIVISION 3: COIL PULVERIZERS AND PACERS

(*) Trailer Pacers for one-way plows	41
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GROUP 4: CULTIVATORS AND WEEDERS

DIVISION 1: CULTIVATORS (HORSE OR TRACTOR DRAWN)

91 One horse (all types) including hillers, disc hoes, shovel plows, little jocs, and similar type harrows and rotary harrows	100
93 One row, riding, two horse	85
95 Root and bean cultivators	76
96 Field cultivators, including chisel and orchard cultivators	85
97 Hand cultivators, wheel type, including hand plows	100

DIVISION 2: CULTIVATORS (TRACTOR MOUNTED)

93 One row	83
93 Two row, shovel or disc type	83
100 Three row and over, all types	83

DIVISION 4: WEEDERS, DRAWN OR MOUNTED

103 Red weeders, horse or tractor drawn	85
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DIVISION 5: OTHER CULTIVATORS AND WEEDERS

(*) Tobacco cultivators	80
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GROUP 5: FARM SPRAYERS, DUSTERS, AND ORCHARD MISTERS

DIVISION 1: FOWNE SPRAYERS

103a Orchard type, auxiliary engine	103
103b Orchard type, power take-off	165
103c Field or row crop type, auxiliary engine	147
103h Field or row crop type, power take-off	147
103 Traction sprayers	147

GROUP 5: FARM SPRAYERS, DUSTERS, AND ORCHARD HEATERS—Continued

DIVISION 2: HAND SPRAYERS WITH TANK BARREL KNAPSACK, ETC., WITH COMPLETE EQUIPMENT (CAP. 1 QT. OR OVER BUT LESS THAN 6 GALS.)

Item	Quota percentages
110 Compressed air.....	
111 Knapsack, self contained.....	
112 Trombone, pump type.....	
113 Bucket, pump type, single cylinder.....	
114 Bucket, pump type, double cylinder.....	100
115 Atomizing, single action (1 qt. and larger capacity).....	
116 Atomizing, continuous (1 qt. and larger capacity).....	

DIVISION 3: HAND PUMP SPRAYERS (CAPACITY SIX GALLONS OR MORE)

117 Barrel pump sprayer.....	165
118 Wheelbarrow sprayer.....	163

DIVISION 4: SPRAY PUMPS, POWER

119 Spray pumps, power.....	100
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DIVISION 6: DUSTERS

121 Power duster, auxiliary engines.....	164
121a Power duster, power take-off.....	171
122 Traction dusters.....	148
123 Hand dusters, all types.....	100

GROUP 6: HARVESTING MACHINERY

DIVISION 1: COMBINES (HARVESTER THRESHERS)

126 Width of cut, 6 ft. & under, auxiliary engines.....	119
126a Width of cut, 6 ft. & under, power take-off.....	119
127 Width of cut, over 6 ft. including 10 ft.....	119
128 Width of cut, over 10 feet.....	119
128a Windrowers or swathers.....	244
(1) Pickup for combine.....	200

DIVISION 2: GRAIN AND RICE BINDERS

129 Grain binders (ground drive).....	67
130 Grain binders (power take-off drive).....	78

DIVISION 3: CORN BINDERS

132 Corn binders, ground drive.....	75
132a Corn binders, power take-off.....	75

DIVISION 4: CORN PICKERS

133 One row, mounted type.....	127
134 Two row, mounted type.....	122
135 One row, pull type.....	128
136 Two row, pull type.....	132

DIVISION 5: FIELD ENSILAGE HARVESTERS—ROW TYPE

137 Field ensilage harvesters (row type) (to be allotted).....	
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DIVISION 6: POTATO DIGGERS AND PICKERS

139 One row, ground drive.....	172
139a One row, power take-off.....	172
139b Two row, power take-off.....	173
139c Potato Pickers (to be allotted).....	

DIVISION 8: SUGAR BEET AND CANE HARVESTING EQUIPMENT

141 Beet lifters, horse or tractor drawn.....	97
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GROUP 7: FARM HAYING MACHINERY

DIVISION 1: MOWERS

146 Horse or tractor drawn (ground drive).....	98
147 Tractor mounted or semi-mounted (power take-off drive).....	98
(1) Knife or sickle grinder.....	71

DIVISION 2: RAKES

148 Sulky (dump).....	93
149 Side delivery (incl. comb. side rakes and tedders).....	129
150 Sweep (horse).....	75

GROUP 7: FARM HAYING MACHINERY—Con.

DIVISION 3: HAY LOADERS

Item	Quota percentages
151 Hay loaders.....	164

DIVISION 4: STACKERS

152 Stationary.....	100
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DIVISION 5: PICK-UP HAY BALERS AND BALE LOADERS

153 Pick-up hay balers—Power take-off (to be allotted).....	
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GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE

DIVISION 1: STATIONARY THRESHERS—GRAIN, RICE AND ALFAFA

158 Threshers, width of cylinder under 28 ins.....	40
159 Threshers, width of cylinder 28 ins. and over.....	40

DIVISION 4: ENSILAGE CUTTERS—SILO FILLERS

162 Ensilage cutters (silo fillers).....	89
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DIVISION 5: FEED CUTTERS—HAND POWER

163 Feed cutters, hand and power.....	105
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DIVISION 6: CORN SHELLERS

164 Corn shellers (hand).....	40
165 Spring (2, 4, 6, and 8 hole).....	40
166 Cylinder (150 bu. and under).....	40
167 Cylinder (over 150 bushels).....	40

DIVISION 9: FEED GRINDERS AND CRUSHERS (FARM)

174 Power, burr type.....	183
175 Hammer type.....	
175a Roughage mills, combination type with cutter head and Grinders.....	77
175b Feed Mixers (not concrete mixers).....	126

DIVISION 10: GRAIN CLEANERS AND GRADERS

176 Cleaners and graders—farm type (small grain and seed).....	96
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DIVISION 11: SORTERS AND GRADERS

177 Potato sorters and graders.....	86
(1) Roller or crusher.....	83
(1) Pulper.....	100

GROUP 9: FARM ELEVATORS AND BLOWERS

DIVISION 1: ELEVATORS—PORTABLE

188 Elevators, portable.....	99
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GROUP 10: TRACTORS

DIVISION 1: FARM TRACTORS, WHEEL TYPE, BY RATED BELT H. P.

192 Special purpose, under 30 H. P.....	75
193 Special purpose, 30 and over.....	75
194 All purpose under 30 H. P.....	75
195 All purpose 30 and over.....	75

DIVISION 2: GARDEN TRACTORS

196 Garden tractors (incl. motor tillers) (to be allotted).....	
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GROUP 12: FARM WAGONS, GEARS AND TRUCKS (NOT MOTOR)

DIVISION 1: WAGONS AND TRUCKS

205 Wagon gears (less box).....	89
206 Truck gears (less box).....	97

DIVISION 2: WAGON BODIES

207 Wagon & truck boxes, farm.....	141
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GROUP 13: DOMESTIC WATER SYSTEMS (FARM TYPE)

DIVISION 1: DEEP AND SHALLOW WELL SYSTEMS

213 Deep well, reciprocal.....	128
214 Deep or shallow well, jet type.....	128
215 Shallow well, 250-499 gals. per hour.....	128
216 Shallow well, 500 gals. per hour and over.....	128

GROUP 13: DOMESTIC WATER SYSTEMS (FARM TYPE)—Continued

DIVISION 2: POWER PUMPS

Item	Quota percentages
217 Horizontal type, up to and incl. 75 gal. p. m. 100 lbs. pressure.....	120

GROUP 14: FARM PUMPS AND WINDMILLS

DIVISION 1: PUMPS, WATER

220 Pitcher pumps.....	87
221 Hand and windmill pumps.....	163

DIVISION 2: WINDMILLS

222 Windmill heads.....	93
223 Windmill towers.....	47

DIVISION 3: PUMP JACKS

224 Pump jacks.....	159
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GROUP 16: DAIRY FARM MACHINES AND EQUIPMENT

DIVISION 1: MILKING MACHINES

237 Milking machines (complete outfits).....	185
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DIVISION 2: FARM CREAM SEPARATORS

239 Capacity 251 lbs. to 800 lbs. per hour.....	186
240 Capacity 801 lbs. to 1,500 lbs. per hour.....	186

DIVISION 4: FARM BUTTER MAKING EQUIPMENT

243 Butter churns.....	80
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GROUP 17: BARN AND BARNYARD EQUIPMENT

DIVISION 6: OTHER BARN & BARNYARD EQUIPMENT

254 Hay carriers.....	103
255 Track for hay carriers.....	103
256 Hay forks, harpoon, and grapple.....	103

DIVISION 4: LIVESTOCK DRINKING CUPS AND WATERING BOWLS

261 Livestock drinking cups.....	131
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DIVISION 5: BARNYARD STOCK TANKS

264 Hog troughs (iron and steel).....	75
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DIVISION 8: OTHER BARN & BARNYARD EQUIPMENT

270 Hog waterers.....	76
271 Hog rings (to be allotted).....	
272 Bull rings (to be allotted).....	
(1) Pulleys & fittings for hay forks (to be allotted).....	
(1) Calf weaners (to be allotted).....	

GROUP 18: FARM POULTRY EQUIPMENT

DIVISION 1: INCUBATORS

274 Incubators, 1,000-egg capacity & smaller.....	106
275 Incubators, over 1,000-egg capacity, but not exceeding 33,000-egg capacity.....	106

DIVISION 2: FLOOR BROODERS

277 Coal (over 100 chick capacity).....	
278 Gas (over 100 chick capacity).....	169
279 Wood (over 100 chick capacity).....	
280 Electric (over 100 chick capacity).....	

NOTE: Producers may use one-half their production of oil brooders (over 100 chick capacity), as well as one-half their production of coal, gas, wood and electric types, during 1940 and 1941, in figuring their total brooder quota; but they can produce for shipment to Canada only the coal, gas, wood, and electric types listed above.

¹No applicable item number on Schedule B of Order L-257.

GROUP 18: FARM POULTRY EQUIPMENT—Con.

DIVISION 8: OTHER FARM POULTRY EQUIPMENT

Item	Quota percentages
282 Four deck (heated).....	100
(¹) Egg cleaners & brushes, hand use only (to be allotted).	

GROUP 19: MISCELLANEOUS FARM EQUIPMENT

DIVISION 4: HARNESS HARDWARE

298 Harness hardware (to be allotted).

DIVISION 6: ELECTRIC FENCE CONTROLLERS

300 Electric fence controllers.....	225
301 Electric fence accessories.....	200

DIVISION 8: FARM WOOD-SAWING MACHINES

309 Farm wood-sawing machines incl. self-powered cross-cut and drag 5 H. P. and less (to be allotted).

DIVISION 10: FARM ELECTRIC PLANTS (WIND-DRIVEN)

311 Farm electric plants (wind-driven electric generating plants only; does not include batteries or towers)..... 25

ATTACHMENTS AND REPAIR PARTS

NOTE: Former paragraph on "Attachments" deleted Dec. 9, 1944.

(¹) Attachments and repair parts: no quota limitation. However, it is necessary to comply with paragraph (e) of Order L-257-a with respect to production schedules.

Issued this 9th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-18674; Filed, Dec. 9, 1944;
11:56 a. m.]

PART 3289—RADIO AND RADAR

[General Limitation Order L-151, L.
Amended Dec. 9, 1944]

DOMESTIC WATTHOUR METERS

§ 3289.11 *General Limitation Order L-151*—(a) *Definition*. Wherever it appears in this order, the term "domestic watthour meter" is used to mean any device designed and manufactured for the purpose of measuring the consumption of electrical energy with respect to time, and includes single phase, two and three wire types, with capacities up to 25 amperes and voltages up to 240 volts, for use on alternating current of any frequency. The term does not include electric energy meters for use on direct current or on polyphase circuits, maximum demand meters, or integrating meters, calibrated in terms other than electric energy (i. e., meters integrating weight, pressure, etc.).

(b) *Restrictions on production*. (1) No person shall manufacture or assemble any new domestic watthour meters or any new parts for the conversion of domestic watthour meters from one to another type, except as authorized by the War Production Board on Form GA-1850.

(2) The above provision in paragraph (b) (1) does not prohibit the use or de-

livery of existing parts for the conversion of domestic watthour meters from one to another type, such as the conversion of non-socket to socket type meters, three-wire to two-wire or two-wire to three-wire meters, or meters from one current rating to a higher current rating.

(3) A person wishing to manufacture domestic watthour meters or conversion parts, should apply for authorization by letter addressed to the War Production Board, Radio and Radar Division, Washington 25, D. C., Reference L-151. This letter should give all pertinent information with respect to proposed production. Where the applicant will need controlled materials in order to produce the equipment, the letter requesting authorization should be accompanied by application on Form CMP-4B, for the controlled materials.

(4) Production will be authorized for the several manufacturers as nearly as practicable according to ratios comparable to the pre-war ratios of the several companies. If the applicant had no pre-war production of domestic watthour meters, production will be authorized on an equitable basis comparable to the production authorized for other manufacturers in the industry. Production will be so authorized that total production will not exceed approved War Production Board programs. Materials will be allocated to the extent available, with the view of permitting production where this will not require materials, facilities or labor needed for war purposes and will not otherwise adversely affect or interfere with production for war purposes.

(c) *Restrictions on delivery*. No person shall deliver or accept delivery of any new domestic watthour meter unless it is a delivery:

(1) To or for the account of the Army, Navy, Maritime Commission, War Shipping Administration or Veterans' Administration.

(2) To or for the account of an electric power producer as defined in Utilities Order U-1 provided that orders for domestic watthour meters for delivery to such producers are endorsed with the certification required in Direction 3 of Utilities Order U-1.

NOTE: Subparagraph (3) added; subparagraph (4), formerly (3) redesignated and amended, Dec. 9, 1944.

(3) Authorized for export shipment on Form FEA-419 by the Foreign Economic Administration. Applications on Form FEA-419 should be filed with the Foreign Economic Administration, Washington 25, D. C.

(4) Authorized by the War Production Board on Form WPB-1319. Any prospective purchaser, except those mentioned in subparagraphs (1) and (2) above, or purchasers of new domestic watthour meters for export, may apply for such an authorization by filing Form

WPB-1319 in accordance with current instructions for filing such forms. These form applications should be filed with the nearest regional office of the War Production Board. The locations of these regional offices is given on List A of this order. As a general rule, favorable consideration will be given applications on Form WPB-1319 to purchase new domestic watthour meters only if they are for installation by the purchaser within the next sixty days. Applications on Form WPB-1319 to purchase new domestic watthour meters for installation on dwelling projects which are already mastermetered will not be approved.

(d) *Parts for maintenance or repair*. The provisions of paragraphs (b) and (c) of this order on production and delivery do not apply to the production or delivery of parts for the maintenance or repair of domestic watthour meters. No person, however, shall manufacture so many of such parts that his inventory thereof will at any time exceed his average monthly inventory of such parts during the calendar year 1941.

(e) *Monthly reports*. On or before the tenth day of each calendar month each manufacturer of domestic watthour meters shall file with the War Production Board a report, in duplicate, in letter form, which shall show the following information as of the first of the month:

(1) Inventory of domestic watthour meters.

(2) Deliveries of domestic watthour meters during the preceding calendar month.

(3) Unfilled orders on hand for domestic watthour meters.

(f) *Applicability of War Production Board regulations and orders*. This order and all things done under it are subject to the provisions of all applicable regulations and orders of the War Production Board.

(g) *Violations and penalties*. Any person who wilfully violates any provision of this order, or who conceals any material information or furnishes false information to any department or agency of the United States is guilty of a crime. If convicted, he may be punished by fine or imprisonment; or any such person may be deprived of any or all priorities assistance. For example, he may be prohibited from getting, delivering, processing, or using anything which is subject to priority control by the War Production Board.

(h) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25*. Any person who wants to manufacture or assemble more new domestic watthour meters or new parts for the conversion of domestic watt-hour meters from one to another type than have been authorized on Form GA-1850 (including a person who has no such authorization), and any person who wants to manufacture more parts than he is permitted by paragraph (d) (including a person who did not make parts in 1941) may apply for permission to do so as explained in

Priorities Regulation 25. He may still, of course, apply for authorization under paragraph (b) (3) of this order if he desires.

(2) *Appeals.* Any appeal from the provisions of this order other than the restrictions of paragraphs (b) (1) or (d) should be made by writing a letter which explains fully what provisions the person is appealing from and why he thinks he should be relieved from those provisions. He should send this letter with two signed copies, to the War Production Board. No appeal should be filed from the provisions of paragraphs (b) (1) or (d), because applications for relief under those paragraphs are handled in the ways described in paragraphs (b) (3) and (h) (1) of this order.

(i) *Letters and reports.* Letters about this order, or reports filed under it, should be addressed to the War Production Board, Washington 25, D. C., Ref: L-151; and the reports required by paragraph (e) of the order should be addressed to the attention of the Office of War Utilities. All other letters or reports, however, should be addressed to the attention of the Radio and Radar Division. All reports and forms required by this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 9th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A—ADDRESSES OF REGIONAL OFFICES OF THE
WAR PRODUCTION BOARD

17 Court Street, Boston, Mass.
350 Fifth Avenue, New York, N. Y.
1617 Pennsylvania Boulevard, Philadelphia, Pa.
Candler Building, Atlanta, Ga.
Union Commerce Building, Cleveland, Ohio.
226 West Jackson Boulevard, Chicago, Ill.
Mutual Interstate Building, Kansas City, Mo.
Mercantile Bank Building, Dallas, Tex.
Continental Oil Building, Denver, Colo.
1355 Market Street, San Francisco, Calif.
7310 Woodward Avenue, Detroit, Mich.
Midland Bank Building, Minneapolis, Minn.
White-Henry-Stewart Building, Seattle, Wash.

[F. R. Doc. 44-18672; Filed, Dec. 9, 1944;
11:55 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-371, Direction 2]

ONE-TIME REPORT ON CONSUMPTION OF
TRICHLOROETHYLENE

The following direction is issued pursuant to Allocation Order M-371:

Each person who has ordered or expects to order 10,000 pounds or more of trichlorethylene for delivery during January, 1945, shall file with the War Production Board a one-time report on Form WPB-3442 in accordance with the following instructions:

Form WPB-3442. Copies may be obtained at local field offices of the War Production Board.

Time of filing. The report shall be filed in time to reach the War Production Board in Washington on or before December 20, 1944.

Number of copies. Two copies shall be prepared, of which one shall be retained by the person reporting and one shall be forwarded to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-371.

Heading. In space 1 specify trichlorethylene; in space 2 specify pounds; in space 3 specify M-371; and fill in the other spaces in the heading as indicated.

Section I. In the headings of Columns (c), (d) and (e) enter the month shown below, and in each column enter total pounds of trichlorethylene consumed for all purposes during the month specified:

Column (c)—September, 1944

Column (d)—October, 1944

Column (e)—November, 1944

Leave Columns (a), (b), (f) and (g) blank.

Section II. Leave blank.

Issued this 9th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-18675; Filed, Dec. 9, 1944;
11:55 a. m.]

PART 4500—POWER, WATER, GAS AND
CENTRAL STEAM HEAT

[Utilities Order U-1, Direction 3]

DELIVERIES OF NEW DOMESTIC WATTHOUR
METERS

The following direction is issued pursuant to Utilities Order U-1:

(a) *Definitions.* For the purpose of this direction:

(1) "Domestic watthour meter" means any device for the purpose of measuring the consumption of electrical energy with respect to time, and includes single phase, two and three wire types, with capacities up to 25 amperes and voltages up to 240 volts, for use on alternating current of any frequency. The term does not include electric meters for use on direct current or on polyphase circuits.

(2) "Practical working minimum inventory" of domestic watthour meters means, notwithstanding the quantity of electric meters established as the limit of practical working minimum inventory in Schedule C of Order U-1, the smallest number of domestic watthour meters which a producer can hold and render service at minimum standards, but in no case may exceed one and one-quarter per cent (in Arizona, California, Idaho, Nevada, Oregon and Washington, one and three-quarters percent) of the number of domestic watthour meters installed in the producer's system.

(b) *Restrictions on ordering domestic watthour meters.* No electric power producer and no person for an electric power producer's account shall place a purchase order with any supplier for the delivery of new domestic watthour meters unless:

(1) The delivery of the meters on the delivery date specified on the producer's order will not cause the producer's inventory of domestic watthour meters to exceed a practical working minimum inventory, plus the number of domestic watthour meters required for installation to serve new customers within sixty days following the delivery date specified, and

(2) A certification in substantially the following form is placed on the producer's purchase order and is manually signed by an authorized official or as provided in PR-7:

This purchase order is placed in accordance with the provisions of Direction 3 to Order U-1.

(c) *Delivery authorizations granted on Form WPB-1319.* Authorizations for the delivery of domestic watthour meters granted by the War Production Board on Form WPB-1319 prior to fifteen days after the effective date of this direction may be used by producers in ordering domestic watthour meters in lieu of the certification required by paragraph (b) (2) above.

(d) *Special restrictions on use and purchase.* No producer may purchase or install any domestic watthour meter for the purpose of metering the power consumption of a domestic consumer if such consumption is being metered by a master meter.

(e) *Reports.* The Office of War Utilities may require reports on inventory and purchases of domestic watthour meters, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942. Producers should therefore keep complete records of inventory and purchases of domestic watthour meters for reporting in accordance with the foregoing.

Issued this 9th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-18676; Filed, Dec. 9, 1944;
11:56 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-664]

HOME HEATING CO.

L. V. Petrie is an individual doing business as Home Heating Company at 3248 Gravois Boulevard, St. Louis, Missouri. Between April 1, 1943 and January 15, 1944, he extended preference ratings A-10 and AA-5 under Preference Rating Order P-84 and thereby obtained delivery of thirty-six new furnaces. He was not entitled to apply or extend such ratings or to accept delivery of such furnaces because he had not obtained certifications from the ultimate users required by Preference Rating Order P-84 and had not received any other ratings therefor. This constituted a violation of Priorities Regulation 3, Limitation Order L-79 and Preference Rating Order P-84.

Between May 10, 1943 and December 18, 1943, he sold, delivered and installed six units of new heating equipment. These were new installations and not emergency replacement or repair and the sale thereof on unrated orders was in violation of Limitation Order L-79. He acquired these new units by extending preference ratings A-10 or AA-5 under Preference Rating Order P-84 which ratings he was not entitled to apply or extend. This was a violation of Priorities Regulation 3 and Limitation Order L-79.

Mr. Petrie was familiar with the requirements of these orders and regulations and the violations were wilful. The violations diverted critical materials to uses not authorized by the War Production Board and hampered and impeded the war effort. In view of the foregoing, it is hereby ordered, that:

§ 1010.664 *Suspension Order No. S-664.* (a) L. V. Petrie shall not for two months from the effective date of this order apply or extend any preference

ratings in the purchase or acquisition of any new furnaces, stokers or blowers, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended.

(b) L. V. Petrie shall cancel immediately all preference ratings which he has applied or extended to orders which have not yet been filled for new furnaces, stokers or blowers, except that if he has extended a customer's rating to get an item for delivery without change in form to that customer (as distinct from replacing it in inventory) he need not cancel the rating, provided the item when received is promptly delivered to the customer whose rating was extended.

(c) All preference ratings presently outstanding in connection with orders for delivery of new furnaces, stokers or blowers to L. V. Petrie or placed within four months after the effective date of this order are void and shall not be given any effect by suppliers of L. V. Petrie or by any other person. This does not apply to any new furnaces, stokers or blowers already delivered or in transit for delivery to him on the effective date of this order.

(d) All specific authorizations (on WPB-1319 or otherwise) for the delivery of any new furnaces, stokers or blowers to L. V. Petrie which are to be delivered within four months after the effective date of this order are cancelled and shall not be given any effect by suppliers of L. V. Petrie or by any other person. This does not apply to furnaces, stokers or blowers already delivered or in transit for delivery to him on the effective date of this order.

(e) The restrictions and prohibitions contained herein shall apply to L. V. Petrie doing business as Home Heating Company or under any other name, his successors and assigns or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(f) Nothing contained in this order shall be deemed to relieve L. V. Petrie doing business as Home Heating Company, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(g) This order shall take effect on the 9th day of December 1944.

Issued this 29th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-18695; Filed, Dec. 9, 1944;
4:45 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-668]

WALTER H. GINGRICH

Walter H. Gingrich, 303 Marietta Street, Terrace Park, Ohio, is engaged in business as a building contractor. In December of 1943, as contractor for the lessor, he began and thereafter con-

tinued construction consisting of remodeling and converting into a night club a building located upon the premises known as Millcroft Inn at Millford, Hamilton County, Ohio, without authorization from the War Production Board. The cost of this construction was approximately \$1,825, which amount exceeded the limit of \$200, permitted by Conservation Order L-41, and was in violation of that order. Walter H. Gingrich's beginning and completion of this construction without authorization from the War Production Board constituted a grossly negligent violation of Conservation Order L-41.

This violation of Conservation Order L-41 has diverted critical materials to uses not authorized by the War Production Board, and has hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.668 Suspension Order No. S-668.

(a) For a period of three months from effective date of this order, deliveries of materials to Walter H. Gingrich, his successors or assigns, shall not directly or indirectly be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) The provisions of paragraph (a) above shall not apply to deliveries to Walter H. Gingrich, his successors or assigns, of materials required to fill contracts already entered into prior to the date of this order, or to fill any order of or contract with, the Army, Navy, Maritime Commission, or any other governmental department or agency of the United States.

(c) Nothing contained in this order shall be deemed to relieve Walter H. Gingrich, his successors or assigns, from any restriction prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on the 9th day of December 1944.

Issued this 2d day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-18696; Filed, Dec. 9, 1944;
4:45 p. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Directive 24, as Amended December 11, 1944]

AUTHORITY OF NATIONAL HOUSING AGENCY FOR HOUSING CONSTRUCTION

§ 903.36 Directive 24. The National Housing Agency is hereby authorized for housing projects, except housing projects of the types listed on Schedule A, to take the following types of action, subject to conditions and limits established by the

War Production Board through the issuance of program determinations or otherwise:

(a) Approve under Limited Preference Order P-55-c applications on Form WPB-2896 for housing construction, remodeling, repairs and installations of the types described in Schedule B, stating in the approval of any application that the allotment symbol "H" with the appropriate program number may be used for the construction. With respect to dwelling units applied for under the Program for immigrant war workers (H-1 program), or dwelling units applied for under the Program for the relief of congested areas (H-2 program), the approval under P-55-c shall be granted (unless the dwelling is approved for owner occupancy) only if a rental or sales price which meets the following conditions is approved by the National Housing Agency:

(1) In the case of dwelling units held for rent, the total monthly payments (exclusive of payments for use of household furniture), which may be accepted from or required of a tenant of a private housing project approved under the H-1 or H-2 program, shall not exceed, for any one dwelling unit, the shelter rent (as described in subparagraph (2) below), plus \$3 per room per month for tenant services, plus a reasonable price for garage space, plus the actual cost on a pro rata basis of tenant gas and electricity. The tenant services and garage space to be supplied, and the charges therefore, if any, shall be set forth clearly.

(2) Subject to the provisions of paragraph (g) (5) below, the shelter rent for any one dwelling unit shall not exceed \$50 per month and the maximum amount for any one dwelling unit which may be sold shall not exceed \$6,000; except that the National Housing Agency is authorized to grant exceptions to these ceilings for H-2 programs under the following circumstances: where the size and quality of housing is to be increased over that permitted by WPB limitations on January 1, 1944 and when such housing cannot be produced at current construction costs to sell or rent at these levels, a shelter rent up to \$65 per month and a sales price up to \$8,000 may be approved by the National Housing Agency.

(3) The rental or sales price approved shall be within the range of currently authorized rental levels or current replacement cost levels for similar accommodations in the area, respectively.

(b) Approve construction, remodeling, repairs and installations of the types described in Schedule B, by any Federal Agency under the jurisdiction of the National Housing Agency without requiring the filing of Form WPB-2896. This

approval constitutes War Production Board authorization under Conservation Order L-41 and permits construction, remodeling, repairs and installations under the provisions of Limited Preference Order P-55-c using the allotment symbol "H" with the appropriate program number, subject to such further restrictions as the War Production Board may impose for temporary war housing;

(c) Cancel approvals under paragraphs (a) and (b) above as provided in Limited Preference Order P-55-c;

(d) Permit the use of items in housing projects approved under paragraphs (a) and (b) above where specific permission is required under Schedule I of Limited Preference Order P-55-c. This does not include items which must be specifically approved by the War Production Board and does not include the grant of an appeal for any other item;

NOTE: Paragraphs (e), (f) and (g), formerly (f), (g) and (h), redesignated and former paragraph (e) deleted Dec. 11, 1944.

(e) Issue approvals in the name of the War Production Board on the form required by any L, M or P order for the purchase of products and materials. The authority granted by this paragraph may be exercised only to the extent that approved War Production Board program determinations or approved decisions of a War Production Board Industry Division Requirements Committee specifically grant permission to issue approvals by the National Housing Agency within specified quotas of such products or materials. This authority may be exercised only if the proposed use of the products and materials is not prohibited by paragraph (c) (3) of Order P-55-c and Schedule I to that order;

(f) Assign upratings for specified projects only in accordance with approved War Production Board program determinations;

(g) Grant requests to amend the provisions of applications approved under paragraph (a) above and requests to amend orders in the P-55 series and the related provisions of applications for war housing covered by them in the following respects in the form and subject to criteria approved by the Facilities Bureau of the War Production Board:

(1) The number of dwelling units covered by the application;

(2) The location of the housing project;

(3) The time for application or extension of the preference rating and allotment symbol, for beginning or completing construction of the project, or for applying for an allotment of controlled materials;

(4) Permission to a successor builder or owner who has applied for permission to complete construction and to avail himself of the preference rating or authorization previously issued to the original builder or owner;

(5) Changes in the promises, certifications, and agreements, made by the builder or owner on Form WPB-2896 (PD-105) or other application forms used

instead, in cases where the changes are covered by Preference Rating Order P-55-a. If the requested change involves rental or sale when such disposition or use of the dwelling unit was not authorized under the project application (for example, if the request is to rent the unit rather than sell or occupy it, as originally authorized, a rental or sales price shall be initially established by the National Housing Agency subject to the restrictions of paragraph (a) above as though the rental or sales price were included in the project application. However, this does not apply to cases where the unit is to be transferred to another person who will sell or rent it in accordance with the original authorization.

If the requested change relates to an increase of rental or sales price, the National Housing Agency may grant the request only under the following conditions:

(i) No increase in rental may be approved after initial tenant occupancy with respect to any dwelling unit located in an area subject to the rent regulations of the Office of Price Administration unless the increase is requested because of increased costs of construction and the written request for increase is filed before initial tenant occupancy of the unit; however, a request for increase of rental may be granted before initial tenant occupancy subject to the provisions of sub-paragraph (ii) below.

(ii) No increase in rental before initial tenant occupancy or sales price shall be approved except on an appropriately supported statement of the applicant for the project or his legal successor that he will provide tenant services in addition to those included in the original application, or that he has incurred, or will incur, costs in the construction over which he had or has no control or in the operation of such housing in excess of the costs estimated originally in connection with such housing, and the increase must not exceed the following:

(a) If an increase in rental is requested because of increased construction cost, the ratio of the increase in shelter rental to the cost increase shall not exceed the ratio of the previously approved shelter rental to the original estimated cost of construction.

(b) If an increase in rental is requested because of increased operating cost or additional services, the increased rental shall not exceed the increase in estimated operating cost or in tenant services.

(c) If an increase in sales price is requested because of increased construction cost, the increase in sales price

shall not exceed the increase in estimated construction cost."

Issued this 11th day of December 1944.

WAR PRODUCTION BOARD,
By S. W. ANDERSON,
Program Vice Chairman.

SCHEDULE A

The following types of residential construction are not covered by Directive 24:

a. Farm housing and mobile farm labor camps.

b. Housing being built directly by or under the direct management of the Military Services.

c. Hotels and similar establishments of more than 10 rooms providing housing primarily for transients.

d. Institutional Housing—Dormitories and other housing owned and operated by and as an integral part of an "institution", as defined in Paragraph (b) (2) of CMP Reg. 5A.

e. Mobile housing units (trailers).

f. Residential construction built by an "operator" as defined in P-08-b, under a Petroleum Administrative Order of the Petroleum Administration for War.

g. Housing built and owned by a Producer, as defined in Utilities Order U-1, which consists of not more than 10 dwelling units and is accessory to and an integral part of a project undertaken primarily for the construction of an isolated plant addition such as a gas compressor station or hydro-electric plant.

h. The alteration, betterment, repair or replacement (but not the initial construction and equipping, which is provided for under paragraph a. (3) of Schedule B below) of structure, facilities, equipment or fixtures which is intended primarily for a commercial establishment located in a dwelling structure.

SCHEDULE B

The following construction, remodeling, repairs and installations are covered by Directive 24:

a. Dwelling structures (including partially or completely prefabricated structures):

(1) Single family and multi-family residential structures including apartment hotels, except hotels as defined in Schedule A.

(2) Dormitories, rooming houses and similar dwelling accommodations.

(3) Structures which include commercial establishments such as stores, restaurants, offices, where more than 50 per cent of the floor area of each structure provides dwelling accommodations, not including alterations, betterments, repairs or replacements described in paragraph (b) of Schedule A above.

(4) Remodeling or conversion of any building for the sole purpose of providing living accommodations.

b. Dwelling Facilities: All separate buildings and structures which are appurtenant and accessory to dwellings such as private garages, sheds, management offices, project maintenance and repair shops, private recreation facilities, garden structures. This does not include separate buildings which are required for business purposes other than the maintenance or operation of the residential project.

c. Dwelling Equipment and Fixtures: All fixtures and equipment built into or firmly attached to a dwelling structure or dwelling facility.

(1) The following equipment is excluded:

(i) Portable electric space heating appliances.

(ii) Movable furniture and movable furnishings.

(2) Except where required for the construction of new houses, or for the rebuilding or remodeling projects where new dwelling units are added, the following equipment is excluded:

(i) Domestic cooking stoves, ranges and hot plates.

(ii) Domestic space eating stoves.

(iii) Mechanical and ice refrigerators.

(iv) Window shades and venetian blinds.

d. Utility Facilities: Sanitation facilities and facilities supplying electric power, gas, water and central steam heating which are an integral part of the housing project in cases where the owner of the facilities does not qualify as an "operator" under paragraph 1 of B-141 or as a "producer" under Paragraph (a) of U-1.

e. Roads and Other Land Improvements: All improvements which are accessory to and an integral part of a housing project, such as roads, driveways, walks, parking areas, terraces, retaining walls, fences, and private outdoor recreation facilities. Off-site access roads are not included.

f. Trailer Sites and Facilities, but not the construction of trailers (See Paragraph (e) of Schedule A).

g. Commercial Establishments: Land improvements, structures, facilities or fixed equipment for commercial establishments such as stores, restaurants, offices, theaters, and for public community buildings, only to the extent that such establishments are:

(1) An integral part of a project which is undertaken primarily for the purpose of construction, alteration or betterment of dwelling accommodations, and

(2) Specified in the application form WPB-2896, and

(3) Necessary for the utilization of the dwelling accommodations upon completion of the construction project.

This paragraph does not include alterations, betterments, repairs or replacements described in paragraph (h) of Schedule A above.

[F. R. Doc. 44-18736; Filed, Dec. 11, 1944; 11:17 a. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Directive 25, Revocation]

APPROVAL OF RENT PROPOSED BY OWNERS OF PRIVATE WAR HOUSING

Section 903.37 *Directive 25* is hereby revoked. The authority of the National Housing Agency over matters covered by Directive 25 is now contained in Directive 24 as amended December 11, 1944.

Issued this 11th day of December 1944.

J. A. KRUG,
Chairman.

[F. R. Doc. 44-18737; Filed, Dec. 11, 1944; 11:17 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-567, Revocation]

RHEIN BROTHERS

Rhein Brothers, a corporation located in Chicago, Illinois, engaged in the manufacture of dual purpose sofa beds, box springs and other bedding products, was suspended on September 29, 1944, effective October 1, 1944 by Suspension Order No. S-567. It appealed from the provisions of the suspension order and, pending determination of the appeal, the Chief Compliance Commissioner

granted a stay on November 2, 1944. The appeal was considered by the Deputy Chief Compliance Commissioner who on December 2, 1944 ordered that the appeal be dismissed on its merits. Upon further consideration, on December 9, the Deputy Chief Compliance Commissioner directed that the suspension order be revoked.

In view of the foregoing: *It is hereby ordered, That:*

Section 1010.567 *Suspension Order No. S-567*, issued September 29, 1944, and effective October 1, 1944, be and hereby is revoked.

Issued this 9th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-18697; Filed, Dec. 9, 1944; 4:44 p. m.]

PART 3281—PULP AND PAPER

[General Limitation Order L-83, as Amended Dec. 11, 1944]

PAPER MILL MACHINERY

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of paper mill machinery for defense for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3281.81 *General Limitation Order L-83—(a) Purpose of this order.* This order restricts delivery of new paper mill machinery only.

(b) *Definitions.* For the purpose of this order, "paper mill machinery" means all new machinery and equipment used in the production and processing of pulp, paper, paperboard (including container board), and converted paper products; except the machinery for manufacturing fiber shipping containers, folding cartons, and set-up boxes and except printing trades machinery as defined in General Limitation Order L-226.

It must be noted that deliveries of parts for paper mill machinery are also subject to any applicable provisions of other limitation orders.

(c) *Restrictions on the delivery and acceptance of paper mill machinery and parts.* No person shall deliver or accept delivery of any paper mill machinery or parts unless the person accepting delivery has received an approval and been assigned a rating on Form WPB-1319 or Form GA-1456. Form WPB-1319 is to be filed in triplicate with the Paper Division, War Production Board, Washington 25, D. C., in accordance with the instructions for the form, except that any application for the purchase of paper mill machinery or parts having a sales value less than \$2,500.00 shall be filed in duplicate with

the nearest Field Office of the War Production Board. For applications involving construction under Order L-41, approval and as assigned rating on GA-1456 must be obtained by filing Form WPB-617 in accordance with WPB-617 instructions.

(d) *Items excluded from the provisions of this order.* The prohibitions of paragraph (c) shall not restrict any deliveries which are obtainable with MRO ratings as defined under CMP Regulation 5.

(e) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds for appeal.

(g) *Records.* All persons affected by this order shall keep for at least two years records concerning inventory, production, purchases and sales, and shall make reports on the same if required.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order or any schedule issued supplementary hereto shall, unless otherwise directed, be addressed to the War Production Board, Paper Division, Washington 25, D. C., Ref.: L-83.

(i) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 11th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-16740; Filed, Dec. 11, 1944; 11:18 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335 as Amended December 9, 1944, Amdt. 1 to Direction 2a]

SAWMILLS' SHIPMENTS FROM WESTERN PINE REGION

Paragraph (h) of Direction 2a to Order L-335 is hereby amended to read as follows:

(h) *Distributors' present inventory may be excepted.* If a distributor wishes to dispose of Western pine lumber which he received before December 31, 1944 without requiring his customer to give him one of the certificates described in paragraphs (e) and (f) above, he may do so but he is not required to deliver any Western pine lumber (even on a rated order) unless such a certificate is supplied by his customer. This applies also to Western pine lumber which the distributor

ordered from a sawmill before December 2, 1944 if it is placed in transit by the sawmill before December 31, 1944.

Issued this 9th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-18698; Filed, Dec. 9, 1944;
4:44 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-51, as Amended
Dec. 11, 1944]

PIGS' AND HOGS' BRISTLES AND BRISTLE PRODUCTS

Section 3290.161 *Conservation Order M-51* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of pigs' and hogs' bristles and brushes made therefrom for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.161 *Conservation Order M-51*—

(a) *Definitions.* In this order:

(1) "Bristles" means pigs' or hogs' bristles, including riflings, 2 inches or longer, whether new, reclaimed, raw, dressed, imported or domestic.

(2) "Painters' brush" means any brush having a ferrule and used in the painting, varnishing or decorating trade (including all types of brushes specified in the Brush List attached to this order, and all brushes of similar construction or use).

(3) "Ferrule" means the metal band by which the bristles of a painter's brush are attached to the handle.

(b) *Importation.* Notwithstanding any other order, rule, regulation or direction, or any certificate or authorization, no person other than Defense Supplies Corporation or U. S. Commercial Company shall import any variety of bristles of the categories known as "Chinese", "Indians", "Russians" or "Siberians". The importation of bristles of other categories shall be according to General Imports Order M-63, as amended from time to time.

(c) *Inventories of bristles.* No person manufacturing brushes shall buy or accept delivery of any bristles 2½ inches or longer if he has more bristles on hand than are required to continue his then current rate of operations for a period of 120 days. In computing such inventory only items A1, 2 and 3 and B1 as listed on Form WPB-431 shall be included.

(d) *Sale and use of bristles and brushes.*—(1) *Use of bristles over 3½ inches.* No person shall use any bristles longer than 3½ inches for manufacturing purposes except as follows:

(i) To manufacture brushes for delivery to or for the account of the Army

and Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Veterans' Administration, the United States Treasury Department or the Department of the Interior;

(ii) To manufacture painters', billboard and paperhangers' paste brushes except the types identified in the Brush List attached to this order by the following numbers: 7, 8 (Glue), 12 (Mucilage and paste), 13, 14 (Painters' duster), 16 (Radiator), 22, 23 (Paperhangers' smoothing) and 24 (Stencil);

(iii) To manufacture brushes required in production operations of any industry, provided the bristles so used were in the manufacturer's inventory on November 30, 1944 and are 3¾ inches or less in length;

(iv) To manufacture tooth brushes using bleached bristles not longer than 3¾ inches.

(2) *Required mixture of other materials.* No person shall manufacture painters', billboard or paperhangers' paste brushes using bristles longer than 2¾ inches unless such brushes contain at least 45% of filling material other than bristles as defined in this order;

However, this restriction shall not apply—

(i) To the manufacture of brushes where the applicable federal specifications require the use of bristles exclusively and the bristles used are not longer than 3¾ inches, and where the brushes are for delivery to or for account of the Army and Navy of the United States, the Veterans' Administration, the United States Treasury Department, the Department of the Interior, the United States Maritime Commission, the War Shipping Administration, or marine distributors pursuant to authorization by the Maritime Commission on Form WPB-646.

(ii) To the manufacture of long handled sashtools and fitch brushes using bristles not longer than 3¾ inches (Items Nos. 2, 17, 18, 19 of Brush List only).

(3) *Exceptions to paragraphs (d) (1) and (d) (2).* On letter application the War Production Board may grant exceptions from paragraphs (d) (1) and (d) (2) in the case of brushes required for:

(i) Applying adhesives in aircraft manufacture;

(ii) Dusting operations in shell-loading plants;

(iii) Use in manufacturing self-sealing gasoline tanks, and

(iv) Other direct or indirect military uses where special types of brushes are needed.

(4) *Bristle painters' brushes to be bought and sold only on certain orders.* No brush manufacturer shall sell or deliver any painters' brushes containing bristles except on the following classes of orders:

(i) Orders placed by the Army and Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Veterans' Administration, the United States Treas-

ury Department or the Department of the Interior;

(ii) Orders placed by persons entitled to use blanket MRO ratings of AA-2 or higher;

(iii) Orders placed by distributors (except marine distributors) rated on Form WPB-547 and orders placed by marine distributors rated on Form WPB-646;

(iv) Orders for export rated on Form FEA-419.

No person shall buy or accept delivery of any of these brushes from a brush manufacturer except on these classes of orders.

(5) *Sale of brushes for export.* No person shall sell or deliver any product containing bristles which he knows or has reason to believe will be exported unless the purchase order contains the number of the export license or release certificate issued by the Foreign Economic Administration or unless the product is ordered by an agency of the United States for delivery pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(e) *Limitation on manufacture of brushes.* No person shall manufacture any painters' brush:

(1) Of a type other than those specified in the Brush List attached to this order;

(2) With a ferrule of dimensions other than those specified in the Brush List with respect to each brush, or which has an assembly containing an inner band, a bridge or a spout, or which is seamless (except for a shipbottom, stencil, oval varnish or oval sashtool brush), or which is embossed or stamped (except that the size and other markings may be applied if to do so would not require any special or additional operation during the process of manufacturing the ferrule); or

(3) With a handle finished in more than one color.

(f) *Reports.* Every owner of bristles shall file with the Bureau of the Census, Department of Commerce, acting as compiling agent for the War Production Board, not later than the 10th day of each month, a report on Form WPB-431 showing his holdings and consumption of bristles during the preceding month. This requirement has been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

(g) *Communications.* All reports required to be filed and all communications concerning this order shall unless otherwise directed be addressed to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C. Ref. M-51.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds for the appeal.

(i) *Violations.* Any person who willfully violates any provision of this order, or, who, in connection with this order, willfully conceals a material fact or fur-

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

ROUGH LIST

These are the only kinds of painters' brushes which may be manufactured. (All dimensions are in inches. A maximum variation of $\frac{1}{2}$ of an inch is allowed in width and thickness both of which are referred to by inside dimensions. The Federal Specification numbers are to be used only as a means of identifying the type of brush. In case of any inconsistency, the dimensions in Columns 4, 5 and 6 shall prevail over those in the Federal Specifications.)

1	2	3	4	5	6
Type of brush	Identification No. for ready reference	Federal Specification No.	Width of ferrule	Thickness of ferrule	Maximum depth of ferrule
Color-single thickness	1		3/8	3/4	1
			1 1/8	5/16	1 1/4
			1 1/2	7/16	1 1/4
			2	1/2	1 1/4
			3	1/2	1 1/4
Fitch	2	HB-241	3/8	3/4	1 1/4
			7/16	5/16	1 1/4
			3/4	5/16	1 1/4
			3/4	5/8	1 1/4
			7/8	1/2	1 1/4
			1 1/8	5/8	2 1/4
			1 1/2	5/8	2 3/8
			1 3/4	1 1/16	2 3/8
			2	3/4	2 3/4
			2 1/2	3/4	3
Flattening-wall master	3		4 1/4	1 1/2	1
			5	1 1/2	1
			6	1 1/2	1
Flattening-wall utility	4		6 1/2	1 1/2	1
			5	1 1/4	1
			6	1 1/4	1
Flowing fitch-single thickness	5	HB-275	1	5/16	1 1/4
			1 1/2	7/16	1 1/4
			2	3/4	1 1/4
			3	3/4	1 1/4
			4	1 1/16	1 1/4
Ox hair and civet hair flowing	6		1	7/16	1 1/4
			1 1/2	3/4	1 1/4
			2	9/16	1 1/4
			3	1 1/16	1 1/4
			4	1 1/16	1 1/4
Glue-flat	7	HB-291	1	7/16	1 1/4
			2	9/16	1 1/4
			3	1 1/16	1 1/4
Glue-round	8	HB-301	1 1/16	7/16	1 1/4
			1	1	1 1/4
			1 1/8	1 1/16	1 1/4
			1 1/2	1 1/2	1 1/4
			2	2	1 1/4
			2 1/2	2 1/2	3/8
Kalsomine-Dutch	9		7/4	2 1/4	1
Kalsomine-flat	10	HB-141	7	7/8	1 1/4
			8	7/8	1 1/4
Mottling	11	HB-391	7/8	1 3/4	1 1/4
			1 1/16	1 1/4	1 1/4
			2 1/16	5/16	1 1/4
Mucilage and paste	12	HB-401	1	5/16	1
		Type 2	2	3/8	1 1/4
			3	7/16	1 1/4
			4	1 1/2	1 1/4
Painters' duster flat	13		4	1 1/4	1
Painters' duster round	14		2 1/2	2 1/2	1
Plasterers'	15		7 1/2	1 1/2	1 1/4
Radiator	16	HB-451	1	3/4	1 1/4
			1 1/2	7/8	1 1/4
			2	9/16	1 1/4
Sashtool-flat	17		1	7/16	1 1/4
			1 1/2	1 1/4	1 1/4
			2	9/16	1 1/4
			2 1/2	1 1/2	1 1/4
Sashtool-oval (seamless)	18	HB-491	1 1/2	1 1/2	1 1/4
			1 3/4	1 1/2	1 1/4
			1 3/8	3/8	1 1/4
			1 3/4	7/8	1 1/4
			1 3/4	1 1/4	1 1/4
Sashtool-oval (locked seam)	19		1 3/4	1 1/2	1 1/4
			1	1 1/2	1 1/4
			1 1/8	5/8	1 1/4
			1 1/4	7/8	1 1/4
			1 3/4	1 1/4	1 1/4
Shipbottom (seamless or soldered wire ferrule)	20		2 1/4	1 1/16	1
Signwriters'	21		2 1/4	2 3/8	1
			3 1/4	2 3/8	1
			1 1/2	1 1/4	1
			1	1 1/4	1 1/4
			1 1/4	1 1/4	1 1/4

1	2	3	4	5	6
Type o. brush	Identifi- cation No. for ready reference	Federal Specification No.	Width of ferrule	Thick- ness of ferrule	Max- imum depth of ferrule
Smoothing paper hanger (2 rows).....	22	-----	12	1/2	1
Smoothing paper hanger (3 rows).....	23	-----	12	3/4	1
Stencil (reamers ferrules).....	24	HB-621.			
Type I:					
Rolled edge.....			1 3/16	1 3/16	1 1/4
Type II:			1 1/16	1 1/16	1 1/2
Without rolled edge.....			7/8	7/8	1 1/4
			1 1/8	1 1/8	1 1/4
			1 1/4	1 1/4	1 1/4
			1 1/2	1 1/2	1 1/4
			1 3/4	1 3/4	1 1/4
			2	2	1 1/4
Stucco-open center.....	25	-----	3	1 1/4	3/4
			3 1/4	1 1/4	3/4
			4	1 1/4	3/4
			4 1/4	1 1/4	3/4
			5	1 1/4	3/4
Stucco-solid center.....	26	-----	3 3/4	1 1/4	3/4
			4	1 1/4	3/4
			4 1/2	1 1/4	3/4
Varnish-flat-double.....	27	HB-701.....	1	7/16	1 1/4
			1 1/2	1/2	1 1/4
			2	9/16	1 1/4
			2 1/2	5/8	1 1/4
			3	1 1/16	1 1/4
			4	1 1/16	1 1/4
Varnish-oval (reamers ferrules)....	28	HB-711.....	1 1/4	1 1/4	1
			1 3/4	1 1/2	1
			2 1/4	1 13/16	1
			2 3/4	1 15/16	1
Varnish-flat single.....	29	HB-720.....	1/2	1/4	1
			1	1/4	1 1/4
			1 1/2	1/4	1 1/4
			2	5/16	1 1/4
			3	7/16	1 1/4
Varnish-flat single X.....	30	-----	1	5/16	1 1/4
			1 1/4	3/8	1 1/4
			1 1/2	7/16	1 1/4
			2	7/16	1 1/4
			2	3/8	1 1/4
			2	1/2	1 1/4
			3	1/2	1 1/4
			3	9/16	1 1/4
Varnish-flat, triple.....	31	HB-723.....	1 1/2	1 1/16	1 1/4
			2	3/4	1 1/4
			2 1/4	1 1/16	1 1/4
			3	7/8	1 1/4
			3 1/4	7/8	1 1/4
Wall-master A.....	32	HB-421.....	3	1	1 1/4
			3 1/4	1	1 1/4
			4	1	1 1/4
			4 1/2	1	1 1/4
Wall-master B.....	33	HB-421.....	5	1	1 1/4
			3	1	1 1/4
			3 1/2	1	1 1/4
			4	1	1 1/4
			4 1/2	1	1 1/4
			5	1	1 1/4
Wall-medium.....	34	HB-431.....	3	1 3/16	1 1/4
			3 1/4	1 1/16	1 1/4
			4	7/8	1 1/4
			5	7/8	1 1/4
Wall-syndicate.....	35	-----	3	7/8	1 1/4
			3 1/2	7/8	1 1/4
			4	7/8	1 1/4
			6	7/8	1 1/4
Wall-utility.....	36	HB-433.....	3	1 3/16	1 1/4
			3 1/2	1 3/16	1 1/4
			4	7/8	1 1/4
Whitewash.....	37	HB-731.....	7	1 1/4	1
			9	1 3/4	1

[F. R. Doc. 44-18743; Filed, Dec. 11, 1944; 11:17 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[Limitation Order L-251, Revocation]

BRUSHES

Section 3290.155 *Limitation Order L-251* is hereby revoked.

This revocation does not affect any liability incurred under the order. This order is superseded by Conservation Order M-51.

Issued this 11th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-18741; Filed, Dec. 11, 1944;
11:18 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[Limitation Order L-251, Revocation of Schedule I]

PAINTERS', DECORATORS' AND CERTAIN INDUSTRIAL BRUSHES

Section 3290.156 *Schedule I to Limitation Order L-251* is hereby revoked.

This revocation does not affect any liability incurred under the schedule. The schedule is superseded by Conservation Order M-51.

Issued this 11th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-18742; Filed, Dec. 11, 1944;
11:18 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328, Gen. Direction 2 as Amended Dec. 9, 1944]

PRODUCTION QUOTAS FOR ARMY AND NAVY SOCKS

The following amended direction is issued pursuant to Conservation Order M-328:

1. Each person who owns or operates any knitting machines within the range of 200 needles to 220 needles, inclusive, having cylinders with diameters of either $3\frac{1}{2}$ " or $3\frac{3}{4}$ ", and who has within the past year produced men's hosiery of any type, shall, in each month during the period September 10, 1944 to December 10, 1944 produce cotton socks conforming either to U. S. Army Specifications PQD No. 423, dated March 18, 1944, or Federal Specifications JJ-S-566a, dated August 22, 1938, in a total quantity that shall be equal to at least 60% of his total production of hosiery of all kinds that he produces on all such machines during each such month; he may deliver the cotton socks required to be produced by this direction only to the U. S. Army or Navy, and he must accept and fill orders of the U. S. Army and Navy for these socks.

2. Each person who owns or operates any knitting machines within the range of 156 needles to 188 needles, inclusive, having cylinders with diameters of either $3\frac{1}{2}$ " or $3\frac{3}{4}$ ", and who has within the past year produced men's hosiery of any type, shall, in each month during the period September 10, 1944 to May 10, 1945, produce part wool

socks (50% wool, 50% cotton) conforming either to U. S. Army Specifications PQD No. 334C, dated January 8, 1944, or Federal Specifications JJ-S-581a, dated August 22, 1938, in a total quantity that shall be equal to at least 80% of his total production of hosiery of all kinds that he produces on all such machines during each such month; he may deliver the part wool socks required to be produced by this direction only to the U. S. Army or Navy, and he must accept and fill orders of the U. S. Army and Navy for these socks.

3. Variations from the above mentioned specifications which are agreed upon by U. S. Army or Navy, respectively, are permitted.

Issued this 9th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-18699; Filed, Dec. 9, 1944;
4:44 p. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-23-b, as Amended Dec. 11, 1944]

DOMESTIC ELECTRIC RANGES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and facilities for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.180 *Limitation Order L-23-b—*
(a) *What this order does.* This order controls the manufacture and delivery of new domestic electric ranges. It provides for the resumption of production of these items on a limited basis.

(b) *Definitions.* For the purpose of this order:

(1) "New electric range" means any range or cooking stove designed primarily for home use having as functional parts electric heating elements of a total rated wattage of $2\frac{1}{2}$ kilowatts or over, and which has never been used by a consumer.

(2) "Consumer" means any person who gets an electric range for installation or use, including a builder of a housing project.

(3) "Manufacturer" means any person who produces or assembles new electric ranges.

(4) [Deleted Dec. 11, 1944.]

(5) [Deleted Dec. 11, 1944.]

(6) "Special order" means any purchase order or contract calling for delivery to or for the account of the Army or Navy of the United States, the Veterans' Administration, the U. S. Maritime Commission, the War Shipping Administration, the Federal Public Housing Authority, the Home Owners' Loan Corporation acting for the National Housing Agency, or any purchase order or contract covered by an export license, release certificate, or Lend-Lease requisition approved or authorized by the Foreign Economic Administration.

(c) *Production of electric ranges.*
(1) No person shall make any new electric ranges except in models and quantities specifically authorized by the War

Production Board. Application should be made by filing Forms WPB-3700 and WPB-3820 with the field office of the War Production Board for the district in which the electric ranges will be made.

(2) The manufacture of new electric ranges will be authorized under this paragraph (c) (2) to meet approved War Production Board programs. In general, production will be authorized where it will not require materials, components, facilities or labor needed for war purposes and will not otherwise adversely affect or interfere with production for war purposes. Authorization will not be dependent upon the applicant's having been engaged in the production of electric ranges at some previous time. Upon request, the War Production Board will give notice to any manufacturer of the production authorized.

(3) When approved War Production Board programs have been met, additional production may be authorized in accordance with Priorities Regulation 25. Such additional production will be authorized on applications filed under paragraph (c) (1), and applications should not be filed on Form WPB-4000.

(d) *Relief on outstanding appeals remains in effect.* The provisions of paragraph (c) do not apply to the production or assembly of electric ranges under an appeal from Order L-23-b granted by the War Production Board before May 25, 1944.

(e) *Restriction on production of parts.* No person shall make any parts for an electric range (including repair and replacement parts) if by making those parts he would have more parts of that type in his inventory than a three months' supply. A person, however, is not required to make less than a minimum practical run/of any parts (including repair and replacement parts) in order to comply with the provisions of this paragraph.

(f) *WPB may direct distribution of ranges for specified purposes.* The War Production Board may direct a manufacturer as to the number of new electric ranges he may distribute for specified purposes such as housing projects, and may state the conditions under which he may sell and ship the electric ranges.

(g) *How new electric ranges may be sold to consumers.* No person may sell or deliver any new electric range to a consumer except in accordance with the rules stated below.

(1) Sales may be made to fill special orders.

(2) Sales may be made to a person who furnishes a certificate in substantially the following form:

I certify to the War Production Board and to the seller:

I own or occupy the premises at -----

They have the inside and outside wiring needed for an electric range, and my electric

company has told me that electric service for range operation will be supplied. I do not have any electric range for these premises which can be used or repaired.

Signature of purchaser

(3) Sales may be made to fill orders for electric ranges to be installed in housing projects approved by the National Housing Agency or War Production Board under Preference Rating Order P-55-c if the purchaser endorses on his purchase order a statement substantially as follows:

This order is placed pursuant to authority granted under Order P-55-c. I have been authorized by the War Production Board or National Housing Agency to install these electric ranges in Project No. ----- located at -----.

NOTE: Undesignated paragraph deleted Dec. 11, 1944.

(4) [Deleted Dec. 11, 1944.]

(5) The standard certification provided for in paragraph (d) of Priorities Regulation 7 cannot be used in place of the certificates mentioned above. A seller may not sell to a person furnishing any of these certificates if he knows or has reason to believe that the facts stated are false.

(h) *Policy for distribution of ranges.* It is the policy of the War Production Board that each manufacturer shall distribute electric ranges through his normal distribution channels taking into consideration shipments to areas during 1941, migration of workers to certain areas, and such other factors as will provide equitable distribution to meet essential needs. This does not apply to electric ranges sold on special orders or for housing projects. The War Production Board may direct the distribution of specified quantities to any area from any manufacturer's production.

(i) *Preference ratings not valid for purchase of new electric ranges.* No preference rating lower than AAA shall be valid for the purchase of new electric ranges and orders bearing such preference ratings are to be treated as unrated orders.

(j) *Reports.* Every manufacturer producing or shipping electric ranges shall file Form WPB-1600, executed in accordance with the instructions for filing that form, with the War Production Board, Washington 25, D. C., Ref: L-23-b, on or before the 15th day of July, October, January and April. This form is a report of the number of new electric ranges made and shipped during the preceding quarter.

(k) *Applicability of other orders and regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in making electric ranges to a greater extent than this order does, the other order shall govern.

(l) *Violations.* Any person who willfully violates any provision of this order

or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(m) *Exceptions and appeals.*

(1) [Deleted Dec. 11, 1944.]

(2) *Appeals.* Any appeals from the provisions of this order, other than paragraph (c), should be filed on Form WPB-1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the provisions of paragraph (c).

(n) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-23-b.

NOTE: The reporting and application requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 11th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

NOTE: Table A deleted Dec. 11, 1944.

[F. R. Doc. 44-18738; Filed, Dec. 11, 1944;
11:17 a. m.]

PART 3291—CONSUMERS DURABLE GOODS [Limitation Order L-23-b, Interpretation 1, as Amended Dec. 11, 1944]

DOMESTIC ELECTRIC RANGES

The following amended interpretation is issued with respect to Limitation Order L-23-b:

Under Order L-23-b as amended December 11, 1944, new electric ranges may be sold to consumers who qualify under paragraphs (g) (2) or (g) (3) without obtaining authorization from the War Production Board. Persons who obtained electric ranges pursuant to an authorization of the War Production Board on Form WPB-1319 issued before May 25, 1944, may sell them under the above provisions if they are unable to use them for the purpose for which they were released. For example, if electric ranges were delivered to a dealer or builder pursuant to a WPB-1319 authorization for use in a specific housing project but cannot be used in that project, the dealer or builder may sell them to any "consumer" in accordance with paragraphs (g) (2) or (g) (3).

Issued this 11th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-18739; Filed, Dec. 11, 1944;
11:17 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF

[Rubber Order R-1, Direction 6]

REMOVAL OF CERTAIN SYNTHETIC RUBBERS FROM ALLOCATION CONTROL

The following direction is issued pursuant to Rubber Order R-1:

1. Notwithstanding the provisions of § 4600.02 of Rubber Order R-1, as amended November 9, 1944, the following types of synthetic rubber are hereby removed from allocation control, effective January 1, 1945: buna N (all types including GR-A); hycar OS and styraloy. After the date of issue of this direction, it will not be necessary to apply on form WPB-3682 for authorization to consume these materials in the manufacture of products permitted by Rubber Order R-1, or to file purchase requests on form WPB-3682 for any GR synthetics included in these materials, as was formerly required by § 4600.05.

2. Notwithstanding the provisions of § 4600.06, Rubber Order R-1, as amended November 9, 1944, effective January 1, 1945, deliveries of buna N (all types including GR-A); hycar OS and styraloy may be made without restriction for uses permitted under Order R-1, provided that such deliveries and transfers are reported as shipments or receipts on form WPB-3410 for the calendar month in which the transactions occur.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 8024, 7 F.R. 329; E.O. 9049, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E.O. 9475, 9 F.R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 11th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-16735; Filed, Dec. 11, 1944;
11:17 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422, Amdt. 36]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 25b is added to read as follows:

Sec. 25b *Ceiling prices for sales of poultry to other retailers.* Your ceiling price for a sale of any item of poultry to another retailer covered by Maximum Price Regulations Nos. 422 or 423² shall be the applicable ceiling price fixed by Revised Maximum Price Regulation No. 269³ for sales by wholesalers.

* Copies may be obtained from the Office of Price Administration.

¹ 9 F.R. 5656, 6323, 6951, 7339, 7520, 7937, 8354, 8719, 10258, 10332, 11537, 11711, 11901, 12343, 12593, 12593, 12593, 12746, 12742.

² 9 F.R. 5571, 6329, 7340, 7520, 7937, 8354, 8720, 10259, 10332, 11537, 11711, 11902, 12340, 12593, 12746, 12742.

³ 8 F.R. 13813, 14016, 15253, 14354, 15160, 16783; 9 F.R. 85, 612, 602, 86, 1039, 1941, 3223, 3345, 4326, 5635, 7639, 8144, 8255.

This amendment shall become effective December 14, 1944.

Issued this 9th day of December 1944.

CHESTER BOWLES,
Administrator.

Approved: December 5, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-18677; Filed, Dec. 9, 1944;
11:57 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,¹ Amdt. 35]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN \$250,000 (GROUP 1 AND 2 STORES)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 18 (1) is added to read as follows:

(1) SEC. 25b. *Ceiling prices for sales of poultry to other retailers.* (Applies to you if you sell any item of poultry to another retailer covered by Maximum Price Regulations Nos. 422² or 423.)

This amendment shall become effective December 14, 1944.

Issued this 9th day of December 1944.

CHESTER BOWLES,
Administrator.

Approved: December 5, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-18678; Filed, Dec. 9, 1944;
11:57 a. m.]

PART 1358—TOBACCO

[MPR 500,³ Amdt. 2]

BURLEY TOBACCO (TYPE NO. 31) OF THE 1943 AND 1944 CROPS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 500 is amended in the following respects:

1. The title of the regulation is amended to read as above set forth.

2. The term "1943 crop," wherever it appears in the following listed sections, paragraphs, subdivisions and inferior subdivisions is amended to read "1943 and 1944 crops":

*Copies may be obtained from the Office of Price Administration.

¹ 9 F.R. 5671, 6829, 7340, 7520, 7937, 9354, 9720, 10259, 10982, 11537, 11711, 11902, 12340, 12593, 12746, 12972.

² 9 F.R. 5656, 6828, 6951, 7339, 7520, 7937, 9354, 9719, 10258, 10982, 11537, 11711, 11901, 12343, 12593, 12589, 12590, 12746, 12972.

³ 8 F.R. 16524, 9 F.R. 8146.

The title of section 2 in the table of contents.

Section 1
Section 2 (a)
Section 2 (c) (2) (II)
Section 2 (c) (3)
Section 2 (c) (5)
Section 3 (a) (1)
Section 3 (a) (1) (I)
Section 3 (a) (1) (II)
Section 3 (b) (1)
Section 3 (b) (2)
Section 5 (a)
Section 5 (b)
Section 8
Section 10 (a)

3. Section 5 (c) is amended to read as follows:

(c) Within ten days after the close of the 1943 and 1944 marketing seasons, respectively, every purchaser and every warehouseman or other seller of Burley tobacco of the 1943 and 1944 crops subject to this regulation shall file with the Office of Price Administration, Tobacco Section, Washington, D. C., a sworn statement certifying that no purchase or sale of any grade of such tobacco was made by him at a price higher than the maximum price fixed by this regulation for that particular grade.

4. In the table of maximum prices set forth in section 2 (a) the eleventh item "B3F-----46" is amended to read "B4F-----46".

5. Section 4 is amended to read as follows:

SEC. 4. *Licensing.* The provisions of Licensing Order No. 1, licensing persons who make sales under price control, apply to sellers subject to this regulation, but no such license is required of or granted to a farmer as a condition of selling an agricultural commodity produced by him. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

This amendment shall become effective December 8, 1944.

Issued this 8th day of December 1944.

CHESTER BOWLES,
Administrator.

Approved: December 7, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-18653; Filed, Dec. 8, 1944;
4:25 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Restriction Order 7, Amdt. 1]

KEROSENE IN PUERTO RICO

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Restriction Order No. 7 is amended in the following respects:

1. Section 1.1 (a) is amended by deleting the phrase "eighty-five (85) per

cent" and inserting in lieu thereof the phrase "ninety (90) per cent".

2. Section 1.1 (b) is amended by deleting the phrase "five (5) per cent" and inserting in lieu thereof the phrase "ten (10) per cent", and by deleting the phrase "eighty-five (85) per cent" and inserting in lieu thereof the phrase "ninety (90) per cent".

This amendment shall become effective December 4, 1944.

Issued this 9th day of December 1944.

SAM GILSTRAP,
Territorial Director,
Puerto Rico.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44-18679; Filed, Dec. 9, 1944;
11:57 a. m.]

PART 1420—BREWERY, WINERY AND DISTILLERY PRODUCTS

[MPR 445,¹ Amdt. 19]

DISTILLED SPIRITS AND WINES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Subparagraph (39) of section 7.12 (a) is amended by inserting after the words "March 1, 1945" the words "and also California grape wine produced entirely or in principal part from grapes of the 1944 crop."

This amendment shall become effective December 8, 1944.

Issued this 8th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18654; Filed, Dec. 8, 1944;
4:25 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,² Amdt. 86]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new section 13.6 is added to read as follows:

SEC. 13.6 *Occasional users.* (a) A person who makes an institutional use of rationed food on not more than thirty-six (36) days in any year, and on not more than seven (7) consecutive days at any time, and who will make a charge for meal service, is an "occasional user".

¹ 9 F.R. 4687, 7708, 9505, 11538, 13990.

² 8 F.R. 10002, 11479, 11480, 11678, 12403, 12483, 12744, 14472, 15488, 16787, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2252, 2287, 2470, 2709, 3030, 3075, 3340, 3577, 3704, 4198, 4393, 4647, 4873, 5041, 5232, 5684, 5826, 5915, 6108, 6504, 6628, 7167, 7260, 7703, 7770, 8242, 8813.

(b) After January 1, 1945, an occasional user who is not already registered as an institutional user must apply for allotments of rationed food under this section. He may apply for an allotment within thirty (30) days before the date on which he will make a service of food. The application may cover more than one day in a single allotment period or a number of consecutive days in two allotment periods. The application must be made to the Board on OPA Form R-315 and must show:

(1) The place where the meals will be served;

(2) The amount of each rationed food which he estimates he will need and the number of persons he expects to serve meals during the period covered by the application;

(3) The dates in the period covered by the application on which he expects to make a service of food;

(4) The price or prices to be charged for each meal;

(5) The percentage (by number) of each of the following items to be served that the applicant himself will bake: Bread, rolls, pies, doughnuts and crullers, cakes and pastries;

(6) The number of days on which he expects to make a service of food in the year following the date of application;

(7) The maximum number of consecutive days on which he expects to make a service of food in the year following the date of application.

(c) If the Board finds that the applicant is an occasional user, it shall grant him an allotment of rationed food for meal services (but not for refreshment services) for the period covered by the application, it shall issue any certificates to which he may be entitled.

(d) The amount of the allotment of each rationed food shall be computed by multiplying the number of persons to be served meals during the period covered by the application, as estimated by the Board by the allowance per person for each rationed food as fixed in the supplement, using the regular or baking allowance depending upon his baking percentage. However, if the amount of rationed food which the applicant estimates he will need is less, the lesser amount shall be the amount of the allotment.

(e) Within ten (10) days after he makes the last service of food during the period covered by the application he must report to the Board the number of persons actually served meals. If the amount of the allotment is greater than the figure obtained by multiplying the number of persons actually served meals by the applicable allowance per person, he shall surrender to the Board ration evidences for the difference at the time he makes this report. If he does not surrender sufficient ration evidences to the Board he shall be charged with excess inventory for any difference.

This amendment shall become effective December 15, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; War Food Order Nos. 56, 53, 59, 61, and Supplement 1 thereto, and 64, 8 F.R. 2005, 2251, 3471, 7093, 9 F.R. 4319, 9134, 9389)

Issued this 11th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18753; Filed, Dec. 11, 1944;
11:59 a. m.]

PART 1335—CHEMICALS

[MPR 354, Amdt. 6]

COPPER SULPHATE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 354 is amended in the following respect:

Section 1335.1011 (a) (1) (i) (d) is amended to change the price "\$9.95" in the table therein for 12½ pound bags in 200 pound drums in quantities of 36,000 pounds or more to "\$10.20".

This amendment shall become effective December 16, 1944.

Issued this 11th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18754; Filed, Dec. 11, 1944;
12:00 p.m.]

PART 1340—FUEL

[MPR 88, Amdt. 23]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 88 is amended in the following respects:

1. Section 2.6 (a) (2) is amended to the extent that the portion of the section which follows the heading is renumbered 2.6 (a) (2) (i) and to such new section 2.6 (a) (2) (i) is added a heading to read as follows:

(i) *To consumers.*

2. Section 2.6 (a) (2) (ii) is added to read as follows:

*Copies may be obtained from the Office of Price Administration.

*8 F.R. 3943, 5809, 6176, 7765, 11262; 9 F.R. 12449.

(ii) *To resellers.*

Kerosene, No. 1 fuel oil
and range oil on deliveries
of 25 gallons or over
(cents per gallon)

Township or city:	
Bethany	9.5
Bethel	10.3
Bloomfield	10.5
Branford	9.5
Bridgeport City	9.5
Bridgewater	10.3
Brockfield	10.3
Cheshire	10.1
Danbury	10.3
Darien	9.5
East Hartford	10.5
East Haven	9.5
East Windsor	10.5
Easton	9.5
Fairfield	9.5
Glastonbury	10.5
Greenwich	9.5
Hamden	9.5
Hartford City	10.5
Middlebury	10.1
Milford	9.5
Monroe	9.5
Naugautuck	10.1
New Canaan	9.5
New Fairfield	10.3
New Haven City	9.5
New Milford	10.3
Newington	10.5
Newtown	10.3
North Branford	9.5
North Haven	9.5
Norwalk	9.5
Orange	9.5
Prospect	10.1
Redding	10.3
Ridgefield	10.3
Sherman	10.3
South Windsor	10.5
Stamford	9.5
Stratford	9.5
Trumbull	9.5
Waterbury	10.1
Watertown	10.1
West Hartford	10.5
West Haven	9.5
Weston	9.5
Westport	9.5
Wethersfield	10.5
Wilton	9.5
Windsor	10.5
Windsor Locks	10.5
Wolcott	10.1
Woodbridge	9.5
Woodbury	10.1

This amendment shall become effective December 9, 1944.

Issued this 9th day of December 1944.

JAMES F. BROWNE,
Acting Administrator.

[F. R. Doc. 44-18933; Filed, Dec. 9, 1944;
4:36 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Amdt. 18 to Supp. 7¹]

PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the issuance of this amendment

*9 F.R. 8433, 8613, 10194, 10356, 10497, 10630, 10709, 10714, 10921, 11109, 11534, 11535, 11537, 11793, 11801, 12123, 12263, 12267, 13530, 13631, 13900.

has been issued and filed with the Division of the Federal Register.*

Supplement 7 to Food Products Regulation No. 1 is amended in the following respects:

1. The text beginning with the second undesignated paragraph immediately preceding paragraph (a) in section 6 is amended to read as follows:

To price items of products other than packed apples, applesauce, apple juice and sweet cider, by grower-processors (including grower-owned cooperatives), see paragraph (c), below.

To price items in certain container types and sizes, see paragraph (d) below.

To price items for which the maximum prices for the 1942 or 1943 pack were established by using competitors' maximum prices (except items sold by grower-processors), or by specific authorization, and to price all items that cannot otherwise be priced, see paragraph (g), below.

The processor shall figure a maximum price for each factory at which he processes the item being priced. (However, he may then elect to combine prices as provided in section 10 (f).)

2. Paragraphs (c), (d), (e) and (f) of section 6 are redesignated (d), (e), (f) and (g), respectively, and a new paragraph (c) is added to read as follows:

(c) *Rule for pricing items of products other than packed apples, applesauce, apple juice and sweet cider, by grower-processors (including grower-owned cooperatives).* In general this paragraph applies to the pricing of items by grower-processors (including grower-owned cooperatives). However, it does not apply to the pricing of an item of packed apples, applesauce, apple juice or sweet cider by a grower-processor unless he is unable to figure a maximum price for it under paragraphs (a) and (e) (1), "Grower-processor" means a processor who grows all of the raw material he uses in making the product being priced.

For sales to purchasers other than government procurement agencies, the grower-processor (including a grower-owned cooperative) shall figure his maximum price per dozen containers or other unit, f. o. b. shipping point, as follows. He shall:

(1) *Determine the base price.* First, the grower-processor shall figure his weighted average price per dozen containers or other unit, f. o. b. shipping point, for the item being priced during the first sixty days after the beginning of the 1941 pack or other base period named at the beginning of this section for the particular product. (This average price will be called the "base price"). "Weighted average price" means the total gross sales dollars charged for the item during the base period divided by the number of dozens of containers or other units of that item sold. All sales made in the regular course of business during the base period shall be included, regardless of the date of delivery, except sales made to the armed forces of the United States. Sales contracts made at

times other than during the base period shall not be included even though delivery was made during the base period.

(2) *Adjust the base price.* Next, the grower-processor shall multiply the base price by 1.10 for fruits other than maraschino cherries, glace cherries, Concord grape juice and Concord grape pulp, 1.10 for berries and 1.08 for vegetables other than sauerkraut.

(3) *Subtract the 1941 raw material cost.* Next, the grower-processor shall subtract the 1941 weighted average raw material cost of his most closely competitive processor who purchases the raw material for use in making the product, converted to units of the finished product by applying the grower-processor's own 1941 case (unit) yields and by adjusting for grade according to his customary practice. Where the 1944 weighted average raw material prices specified for the product in paragraph (a) (5) differ by state or area, the competitive processor shall be one whose customary receiving point (factory in the case of spinach in states other than California) is located in the same area as that of the grower-processor.

(4) *Add the 1944 raw material cost.* Next, the grower-processor shall add the 1944 weighted average raw material cost of the same competitive processor, converted to units of the finished product by applying the simple average of his own 1941 and 1943 case (unit) yields and by adjusting for grade according to his customary practice. (If he did not pack the product in 1943, he shall use the average of his 1941 and 1942 yields.)

(5) *Adjust for approved increases in wage rates.* Next, the grower-processor shall adjust for the increase in wage rates if he has incurred a wage rate increase approved by the War Labor Board or under the Fair Labor Standards Act and made effective after January 1, 1943. The adjustment is made by multiplying by the appropriate figure named in the table in paragraph (a) (2) above.

(6) *Subtract 2 per cent.* Next, the grower-processor shall subtract from the resulting figure 2 per cent of that figure.

(7) *Subtract any direct subsidy payable per unit of the finished product.* Finally, the grower-processor shall subtract the amount of any direct subsidy payable per unit of the finished product, as named in the table in paragraph (a) (6), above.

The resulting figure is the grower-processor's maximum price per dozen containers or other unit, f. o. b. shipping point, for sales to purchasers other than government procurement agencies.

3. The redesignated paragraph (d) of section 6 is amended to read as follows:

(d) *Rule for pricing items in certain container types and sizes—(1) Metal containers.* If the processor cannot figure his maximum price under paragraph (a), (b) or (c) for an item packed in one of the following metal container sizes, his maximum price per dozen containers or other unit, f. o. b. shipping point, for sales

to purchasers other than government procurement agencies, shall be:

(i) For No. 303 cans, 85% of what his maximum price per unit, f. o. b. shipping point, is or would be under paragraph (a), (b) or (c), for the item packed in No. 2 cans;

(ii) For No. 1 (picnic) cans, 70% of what his maximum price per unit, f. o. b. shipping point, is or would be under paragraph (a), (b) or (c), for the item packed in No. 2 cans;

(iii) For 8-ounce cans, 55% of what his maximum price per unit, f. o. b. shipping point, is or would be under paragraph (a), (b) or (c), for the item packed in No. 2 cans.

(2) *Glass containers.* If the processor cannot figure his maximum price under paragraph (a), (b) or (c) for an item packed in one of the glass container sizes listed below, his maximum price per dozen containers or other unit, f. o. b. shipping point, for sales to purchasers other than government procurement agencies, shall be 20 cents per dozen for packed fruits and berries, and 15 cents per dozen for packed vegetables, more than his maximum price is or would be under paragraph (a), (b) or (c), for the item packed in the equivalent can size.

CONTAINER EQUIVALENTS

Name	Dimension	Overflow capacity	
		Metal	Glass
		Ounces	Ounces
No. 1 picnic.....	211 x 400.....	10.94	11 1/2
No. 300.....	300 x 407.....	15.22	16 1/2
No. 1 tall.....	301 x 411.....	16.70	17
No. 303.....	303 x 406.....	16.88	17
No. 2.....	307 x 409.....	20.55	22.75
No. 2 1/2.....	401 x 411.....	29.79	24.375
No. 3 cyl.....	404 x 700.....	61.70	49

NOTE: When a processor is able to establish a maximum price under the provisions of this subparagraph (2), the procedure set forth in section 10 (a) is not applicable.

7. The redesignated paragraph (f) of section 6 is amended to read as follows:

(f) *Maximum prices in certain cases—(1) Tomato catsup packed in No. 10 cans.* For sales to purchasers other than government procurement agencies, the processor's maximum price per dozen containers or other unit, f. o. b. shipping point for any grade of tomato catsup packed in No. 10 cans shall be his maximum price per dozen 14-ounce bottles of the same grade (as figured under paragraph (a), (b) or (c)) multiplied by 6.0 for factories located in Ohio and Indiana and by 6.5 for those located in all other states, or his maximum price for the item packed in No. 10 cans (as figured under paragraph (a), (b), or (c)), whichever is higher.

This amendment shall become effective as of November 17, 1944.

Issued this 9th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-18694; Filed, Dec. 9, 1944;
4:38 p. m.]

PART 1364—FRESH, CURED AND CANNED
MEAT AND FISH PRODUCTS

[MPR 418, Amdt. 38]

FRESH FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 418 is amended in the following respects:

1. Section 9 (d) is amended to read as follows:

(d) *Canadian lake fish.* Any importer or agent of a foreign consignor of fish covered in Schedules 51-60 inclusive may add the actual transportation cost (excluding local trucking, hauling and handling charges) from the point of shipment to the receiving point in the United States, but in no event more than the common carrier rate from the City of Winnipeg in the Province of Manitoba, Canada, to such receiving point. He may add such transportation cost only if he records it on an invoice to the customer purchasing the fish or seafood. A purchasing wholesaler or subsequent wholesalers of such fish or seafood may pass on such transportation cost, but only if they in turn record it on an invoice to their customers.

2. Section 9 (g) is added to read as follows:

(g) *Transportation allowance to primary fish shipper wholesalers of certain Alaskan fish.* A primary fish shipper wholesaler who transports lingcod, sablefish, troll caught salmon or halibut landed in Alaska to the continental United States may (subject to the special rules affecting halibut in section 9 (f)) add as part of his maximum price his actual transportation cost (excluding local trucking, hauling and handling charges) from the shipping point in Alaska to his receiving point in the United States but only when he records the transportation cost on an invoice to the customer purchasing the fish. A purchasing wholesaler or subsequent wholesalers of that fish may pass on such transportation cost as part of the maximum selling price but only if they in turn record it on an invoice to their customers. In no case may the added transportation cost exceed the common carrier rate from the shipping point to the wholesaler's receiving point.

This amendment shall become effective December 16, 1944.

Issued this 11th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18757; Filed, Dec. 11, 1944;
12:01 p. m.]

*Copies may be obtained from the Office of Price Administration.

¹⁷ F. R. 9366.

No. 247—4

PART 1404—RATIONING OF FOOTWEAR

[RO 17, Amdt. 83]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects: ^o

1. Section 2.11 (g) (1) (i) is amended to read as follows:

(i) Have deteriorated substantially as a result of age;

2. Section 2.11 (g) (2) is amended by deleting from the second sentence the following: "and no application may be filed after June 30, 1944."

3. Section 2.11 (g) (2) (i) is amended by deleting the following words: "styles, sizes".

4. Section 2.11 (g) (2) (ii) is deleted.

This amendment shall become effective December 15, 1944.

NOTE: The reporting requirements and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 11th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18752; Filed, Dec. 11, 1944;
11:59 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373, Amdt. 111]

FURNITURE AND BEDDING IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 67 is amended in the following respects:

1. Paragraph (c) (2) is amended to read as follows:

(2) For sales of articles purchased directly from mainland wholesalers.

(i) *Articles purchased from primary wholesalers.* Add your wholesaler's selling price and your landing costs. Then multiply this amount by 1.50. The resulting price is your ceiling price. In order to compute your ceiling price under this subdivision you must secure a statement from your seller certifying that the merchandise being priced was purchased by the seller direct from the producer and that the seller is the primary wholesaler. If you can not secure

such certification you must compute your ceiling price under subdivision (ii) below.

(ii) *Articles purchased from other wholesalers.* Add your wholesaler's selling price and your landing costs. Then multiply this amount by 1.36. The resulting price is your ceiling price.

2. Paragraph (c) (3) is amended to read as follows:

(3) For sales of articles imported from the mainland and purchased from local wholesalers out of locally warehoused stock:

(i) *Articles purchased from primary wholesalers.* Add your wholesaler's selling price and an amount equal to local transportation charges actually incurred by you not to exceed public (common or contract) carrier rates. Then multiply this amount by 1.50. The resulting price is your ceiling price. In order to compute your ceiling price under this subdivision you must secure a statement from your local wholesaler certifying that the merchandise being priced was purchased by the seller direct from the producer and that the seller is the primary wholesaler. If you can not secure such certification you must compute your ceiling price under subdivision (ii) below.

(ii) *Articles purchased from other wholesalers.* Add your wholesaler's selling price and an amount equal to local transportation charges actually incurred by you not to exceed public (common or contract) carrier rates. Then multiply this amount by 1.36. The resulting price is your ceiling price.

3. Paragraph (d) (1) (v) is amended to read as follows:

(v) An amount equal to cartage charges in the Port of Entry in the Territory of Hawaii from dock to establishment of the purchaser, computed at a rate not in excess of \$1.20 per ton, weight or measurement, or \$1.50 per ton weight if the particular single unit exceeds 300 pounds in weight; *Provided*, That the commodity is moved from the dock at the purchaser's expense.

4. Paragraph (f) (1) (ii) (e) is amended to read as follows:

(e) Either your ceiling price at wholesale for each article or a statement that "Prices herein stated for furniture and bedding are at our ceiling prices or less."

5. Paragraph (f) (2) (ii) (d) is amended to read as follows:

(d) Either your ceiling price at retail or a statement that "Prices herein stated for furniture and bedding are at our ceiling prices or less."

6. Paragraph (i) (5) is added to read as follows:

(5) A primary wholesaler means a wholesaler who purchases the article directly from the manufacturer.

¹⁸ F. R. 15839, 16605, 16996; 9 F. R. 92, 573, 764, 2232, 2656, 2947, 2829, 3340, 3944, 4391, 5254, 5805, 6233, 6647, 6455, 7020, 7773, 8254, 8339, 8340, 8931, 8355, 9901, 10563, 10924, 10985, 11638, 11763, 12039, 12271, 12812, 13134, 13067.

This amendment shall become effective as of November 22, 1944.

Issued this 11th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18755; Filed, Dec. 11, 1944;
12:00 m.]

PART 1418—TERRITORIES AND POSSESSIONS
[MPR 373, Amdt. 112]

GROCERY ITEMS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 41a is amended in the following respects:

1. Paragraph (a) is amended to read as follows:

(a) *What this section covers.* This section fixes maximum prices at wholesale for all grocery items listed and described in paragraph (n) of this section. There are two types of maximum prices fixed by this section.

(1) *Dollars and cents prices for certain locally produced grocery items.* Flat, or dollars and cents maximum prices are established and listed for certain named locally produced grocery items according to commodity classifications in Table C.

(2) *Calculated maximum prices.* The maximum prices for all items other than those named items which are given dollars and cents maximum prices in Table C are established according to the methods set forth in paragraphs (b), (c), (d) and (e), whichever is applicable. However, if a specific dollars and cents maximum price is set forth in Table C for any item, you may not compute your maximum price for that item under paragraphs (b), (c), (d), or (e).

2. Paragraph (c) is amended by changing the caption and first sentence thereof to read as follows:

(c) *Maximum prices for grocery items purchased from the Federal Surplus Commodities Corporation located on the same island as the buyer.* In the case of sales of any grocery items covered by this section which are purchased from the FSCC located on the same island as the buyer, the wholesaler shall calculate his maximum price for each item (that is, for each kind, brand, grade, variety, container type and container-size) as follows:

3. Paragraph (e) (2) (v) is added to read as follows:

(v) In the case of purchases from the Federal Surplus Commodities Corporation located on an island other than the island on which the buyer is located, any costs, or any part of any costs, which are refunded to the buyer by the FSCC may not be included in the computation of the "landed cost" of any such item.

4. Paragraph (j) is amended by adding a new subparagraph (4) to read as follows:

(4) *Island of Kauai.* For delivery from any part of the Island of Kauai to retail grocery stores located in Zone 1, as defined by section 41 (e) (1) (iv), of flour, rice or sugar, the wholesaler may add to his maximum price 15¢ per 100 pounds, provided that the wholesaler maintains on sale at his place of business cash and carry prices for such items.

5. Subparagraph (1) (iii) is amended by deleting the last sentence therefrom.

6. Paragraph (a) (38) is amended to read as follows:

(38) "Baby foods" means all foods prepared in containers of glass, tin, or other material, especially designed for the nourishment of infants and juniors, such as strained or diced vegetables, and baby cereals, such as Pabulum, Pabena, and Cerevim. Excluded from this classification are SMA products, Mead Johnson products other than Pabulum and Pabena, Nestle's and Mellin's Baby Foods, Lactogen, Beta-Lactose, and other proprietary baby foods customarily listed by drug wholesalers and normally purchased for use under the direction of a physician. Sales of baby cereals such as Pabulum, Pabena, and Cerevim to drug stores are not covered by this section.

7. Paragraph (n) (51) is added to read as follows:

(51) "Candy, imported" means any imported confectionery, packaged or in bulk, other than imported candy that sells for 10¢ or less per retail unit under the General Maximum Price Regulation for the Territory of Hawaii.²

8. Table B, is amended by adding a new commodity classification number 51, and a new footnote, all to read as follows:

Comm. Class. No.	Grocery Item	Division factor
51 ¹	Candy, Imported.....	0.85

¹ However, any wholesaler of an item covered by commodity classification number 51 may use as his maximum price the established and maintained price of the manufacturer thereof, upon proper application to, and approval by the Office of Price Administration, rather than the calculated maximum price determined under this Table through the use of the division factor above. Such application may be made for approval of a price of such item which is established and maintained by the manufacturer thereof, and who requires that such article be sold at the price established and maintained by such manufacturer. The applicant must set forth:

(1) Description of the article or line to be priced.
(2) Proof that the manufacturer has established and maintained a resale price and that the manufacturer will not sell to a wholesaler or a retailer who does not maintain this price.

(3) A statement that the seller will not sell such article at a higher price than such established and maintained price.

Such application, of course, need not be made where such established and maintained price is not in excess of the maximum price as calculated under this section.

9. Table C is added to read as follows:

TABLE C—DOLLARS AND CENTS MAXIMUM PRICES FOR CERTAIN LOCALLY PRODUCED GROCERY ITEMS

(a) This Table C applies to all wholesalers of locally produced grocery items cov-

ered by this section located in the Territory of Hawaii. If the item being priced is not listed in this Table C, then the wholesaler shall compute his maximum price in accordance with the provisions of paragraphs (b), (c), (d) or (e) of this section, whichever is applicable.

(b) "Commodity classification number," as used in this table, means the number assigned to the particular subdivision contained in paragraph (n) of this section, in which the grocery items listed are classified and defined.

(c) The following maximum prices are established for all sales by wholesalers of the locally produced grocery items set forth below.

Comm. Class No.	Grocery Item	Maximum price (cents per doz.)
41.....	Potato chips, 1 oz. container...	49

This amendment shall become effective as of November 27, 1944.

Issued this 11th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18756; Filed, Dec. 11, 1944;
12:00 m.]

Chapter XIV—War Contracts Price Adjustment Board

RENEGOTIATION REGULATIONS

The changes and additions to Parts 1603, 1607 and 1608 set forth below are also contained in Revision 13 of the Renegotiation Regulations, dated November 22, 1944.

ALBERT J. BROWNING,
Brigadier General,
General Staff Corps,
Chairman.

PART 1603—DETERMINATION OF RENEGOTIABLE BUSINESS AND COSTS

SUBPART C—CONTRACTS AND SUBCONTRACTS WITHIN THE SCOPE OF THE 1943 ACT

Paragraph (c) of § 1603.334 is amended to read as follows:

§ 1603.334 *Specific interpretations of "subcontract".* * * *

(c) *Patent licenses as subcontracts.*

(1) Licenses for processes or inventions required in performing contracts with the Departments and subcontracts are subcontracts as defined in subsection (a) (5) (A) of the 1943 act subject to statutory renegotiation (unless exempted), without regard to the time that the license was made. Such licenses are not subcontracts under subsection (a) (5) (B) of the 1943 act. In any case where a license and an agreement by the licensor to furnish any technical or other services to the licensee are embraced within a single contract, the agreement to furnish technical or other services may be a subcontract under subsection (a) (5) (B) of the 1943 act. In any such case, the license may be severed from the agreement to furnish technical or other services, and an appropriate finding made as to that portion of the consideration payable under the contract which is payable on account of the license and

*Copies may be obtained from the Office of Price Administration.

² 8 F.R. 5307, 6362, 14765, 15586; 9 F.R. 579, 4239, 6238; 6817, 12132.

that portion of the consideration which is payable on account of the services.

(2) In any case in which the receipts or accruals of the contractor include or consist of royalties, the renegotiating agency may consult with the Royalty Adjustment Office of the Department or Service concerned before determining whether excessive profits were derived from such royalties. (See § 1607.796 for addresses of such offices.)

(3) If the rates or amounts of the royalties received or accrued for the period involved in the renegotiation have been fixed as fair and just in a Royalty Adjustment Act order or agreement applicable to such period or any part thereof, the renegotiating agency will ordinarily find that no excessive profits have been derived from that part of the royalties covered by such order or agreement. Rates or amounts of royalties fixed as fair and just in a Royalty Adjustment Act order or agreement which does not cover all or some part of the period involved in the renegotiation will not be controlling as to the reasonableness of the royalties received or accrued for such period or such part thereof as is not covered by the order or agreement. [RR 334.3]

SUBPART D—MANDATORY EXEMPTIONS AND EXCLUSIONS FROM RENEGOTIATION

In § 1603.348 (c), subparagraph (5) is deleted and subparagraph (6) is redesignated as subparagraph (5).

SUBPART E—PERMISSIVE EXEMPTIONS FROM RENEGOTIATION

1. In § 1603.355, the heading of paragraph (c) is amended and paragraph (d) is added, as follows:

§ 1603.355 *Contracts and subcontracts when effective competition is likely to exist.* * * *

(c) *Application of exemption to construction contracts and subcontracts entered into subsequent to June 30, 1943 and before January 1, 1944.* * * *

(d) *Application of exemption to construction contracts and subcontracts entered into subsequent to December 31, 1943.* The War Contracts Board has found that competitive conditions affecting the making of construction contracts and subcontracts entered into subsequent to December 31, 1943, were such as to result in effective competition with respect to the contract or subcontract price, and accordingly, the Board, in accordance with subsection (i) (4) of the 1943 act, has exempted such contracts and subcontracts from all of the provisions of the 1943 act. The term "construction contracts and subcontracts" as used herein shall be construed in accordance with the principles set forth in subparagraphs (1) (i) and (2) of § 1603.355 (c). [RR 355.4]

2. Section 1603.357 is amended to read as follows:

§ 1603.357 *Delegation of authority to make permissive exemptions.* (a) The authority to make exemptions of con-

tracts or subcontracts under subsection (1) (4) of the 1943 act by general classes or types has not been delegated by the War Contracts Board to each Secretary except as referred to in paragraph (b). The War Contracts Board has, however, delegated to each Secretary authority to make exemptions under this paragraph of individual contracts entered into pursuant to his authority, and subcontracts under any such contracts (whether or not such subcontracts are also subcontracts under prime contracts with other Departments).

(b) With respect to patent license agreements, more general authority has been delegated to each Secretary. (See § 1608.821 (b)).

(c) Such delegations of authority, however, must be exercised in accordance with interpretations of the 1943 act and regulations relating thereto issued by the War Contracts Board. Also, subject to interpretations and regulations of the War Contracts Board, the Secretary to whom an assignment for renegotiation is made has authority to interpret and apply exemptions under subsection (1) (4) of the 1943 act. The Secretaries have been given full power to redelegate this authority and to authorize further redelegations. (See § 1608.821 (a) and (b)). [RR 357]

SUBPART H—COSTS ALLOCABLE AND ALLOWABLE AGAINST RENEGOTIABLE BUSINESS

1. In § 1603.383 (b), subparagraphs (3) and (5) are amended to read as follows:

§ 1603.383 *Amortization and depreciation.* * * *

(b) *Accelerated amortization and renegotiation rebate.* * * *

(3) If the emergency is terminated during the five year period, or if the Chairman of the War Production Board pursuant to Executive Orders 9486 and 9487, each dated September 30, 1944, certifies that an emergency facility ceases to be necessary for national defense, the amortization period may for Federal tax purposes be shortened accordingly, and the contractor will be entitled to adjust his taxes for prior years, on the conditions stated in the Internal Revenue Code, to give effect to the corresponding increase in the deduction taken in each such year. Executive Order 9487 has been amended in a minor respect by Executive Order 9490.

(5) Subsection (a) (4) (D) of the 1943 act provides for payment of a renegotiation rebate to the contractor in those cases where the increased amortization deduction for a prior tax year is so computed by the Bureau of Internal Revenue after the determination of excessive profits has been made by agreement or order. No computation of the increased amortization deduction incident to the tax adjustment above referred to can be made until the Chairman of the War Production Board has issued a Non-Necessity Certificate to the effect that the emergency facility has ceased to be necessary in the interest of national defense during the emergency period. [RR 383.2]

2. Subparagraphs (2), (3) and (4) of § 1603.383 (a) are amended to read as follows:

§ 1603.383 *Other costs, expenses and reserves—(a) Patent royalties.* * * *

(2) An order under the Royalty Adjustment Act fixing the rates and amounts of royalties to be paid under a license agreement has no legal effect retroactively. The order applies only to royalties, irrespective of when payable, which are unpaid to the licensor on the effective date of the notice under the statute, whether accruing before or after the effective date of the notice, and does not and cannot require the refund of any royalties which have been paid to the licensor prior to said effective date.

(3) In determining excessive profits of a licensee upon renegotiation for a period in which royalty accruals are covered by an order or agreement under the Royalty Adjustment Act, the renegotiating agency will give full effect to the rates or amounts of royalties fixed in the Royalty Adjustment Act order or agreement as fair and just under the conditions of wartime production. No allowance will be made in renegotiation for royalties paid or accruing during that period in excess of the amounts permitted or provided to be paid under such order or agreement. With respect to renegotiation with a licensor, see § 1603.334 (c).

(4) Rates or amounts of royalties fixed as fair and just in a Royalty Adjustment Act order or agreement which does not cover all or some part of the period involved in the renegotiation will not be controlling as to the reasonableness of the royalties paid or accrued by the licensee for such period or such part thereof as is not covered by the order or agreement. In such a case as well as in one where no action under the Royalty Adjustment Act is involved, the renegotiating Department will estimate the amount of the royalties allowable as a deduction for Federal income tax purposes. Ordinarily the licensee will be allowed to include in his costs royalties properly allocable to renegotiable business provided they are actually paid to the licensor prior to the service of a notice in any royalty adjustment proceedings. However, an amount paid pursuant to an arrangement not entered into at arm's length or without a full disclosure of interest, or in bad faith, should be disallowed as an item of cost if it is not an "ordinary and necessary" business expense within the meaning of section 23 (a) of the Internal Revenue Code. Particular attention should be given to any relationship of affiliation to the licensor; for example where the licensor was a partner, officer or director of the licensee; or where any partner, officer or director of the licensee participated in the royalties paid to the licensor.

3. In § 1603.389, the reference at the end of paragraph (a) is amended to read "§ 1603.348 (c) (5)." The paragraph as amended reads as follows:

§ 1603.389 *State income taxes—(a) In general.* Under subsection (a) (4) (B)

of the 1943 act, taxes measured by income cannot be allowed as items of cost for purposes of renegotiation. However, this subsection provides specifically that in determining the amount of excessive profits to be eliminated, proper adjustment shall be made on account of the taxes measured by income (other than Federal taxes) so excluded, which are attributable to nonexcessive renegotiable profits. The amount of any such adjustment will in no case exceed that part of such taxes actually payable which is payable because of the inclusion in income of the nonexcessive renegotiable profits. The term "taxes measured by income" is interpreted to mean taxes which vary in accordance with the amount of net income of the taxpayer. Such term does not include taxes imposed upon or measured by gross income, gross receipts or sales. Such taxes measured by net income are herein referred to generally as "state income taxes" although actually they may not be designated as "income taxes" in the legislation imposing such taxes, and although they may be imposed by political subdivisions other than a state. For the effect of the floor provision limiting refunds of excessive profits, see § 1603.348 (c) (5). [RR 389.1]

PART 1607—FORMS FOR RENEGOTIATION SUBPART I—ADDRESSES

1. In the address of the Price Adjustment Section, Quartermaster General, under § 1607.793 (a), the title of Lt. Col. H. F. Colt is changed to read "Col. H. F. Colt," as follows:

§ 1607.793 *War Department Price Adjustment Sections—(a) Headquarters.* * * *

The Quartermaster General, Attention: Col. H. F. Colt, Price Adjustment Section, Room 2327, Tempo. B., 2d and Q Sts., S. W., Washington 25, D. C.; Tel. Republic 6700, Ext. 3744 or 6485.

2. In § 1607.794 (a), subparagraph (3) is amended to read as follows:

§ 1607.794 *Navy Department—(a) Navy Price Adjustment Board.* * * *

(3) Chicago Division, 12th Floor, 7 South Dearborn Street, Chicago 3, Illinois; Tel. Andover 5740.

3. Section 1607.796 is amended to read as follows:

§ 1607.796 *Patent Royalty Adjustment Offices—(a) War Department Patent Royalty Adjustment Offices.*

Patent Counsel, Legal Branch, Office, Director of Materiel, Headquarters, Army Service Forces, Room 5C 683, The Pentagon, Washington 25, D. C.; Tel. Republic 6700, Ext. 2553.

Chairman, Royalty Adjustment Board, Army Air Forces Materiel Command, Wright Field, Dayton, Ohio, Tel. Kenmore 7111, Ext. 25222.

Chief, Legal Division, Office of the Chief of Transportation, Room 3A 724, The Pentagon, Washington 25, D. C., Tel. Republic 6700, Ext. 3556.

Chief, Contracts and Claims Branch, Office of the Chief of Engineers, Room 3213, New War Department Building, Washington 25, D. C., Tel. Republic 6700, Ext. 78253.

Chief, Patent Section, Legal Branch, Office of the Chief of Ordnance, Room 4E 330, The

Pentagon, Washington 25, D. C., Tel. Republic 6700, Ext. 2748.

Patents and Inventions Counsel, Legal Division, Office of the Chief Signal Officer, Room 4D 831, The Pentagon, Washington 25, D. C., Tel. Republic 6700, Ext. 3702.

Chief, Patent Section, Legal Branch, Office of the Chief of the Chemical Warfare Service, Room 1007, T-7, Gravelly Point, Va., Tel. Republic 6700, Ext. 2828.

Chief, Patent Section, Legal Branch, Office of the Quartermaster General, Room 2442, Tempo B., Washington 25, D. C., Tel. Republic 6700, Ext. 4294.

The Patent Representative, Office of the Surgeon General, Room 419, Maritime Building, Washington 25, D. C., Tel. Republic 6700, Ext. 79369.

[RR 796.1]

(b) *Navy Department Patent Royalty Adjustment Office.*

Office of Patents and Inventions, Navy Department, Washington 25, D. C., Tel. Republic 7400, Ext. 61565.

[RR 796.2]

(c) *Treasury Department Patent Royalty Adjustment Office.*

Assistant to the Director, Treasury Department, Room 7002, Procurement Building, 7th and D Streets SW., Washington 25, D. C., Tel. District 5700, Ext. 600 or 635.

[RR 796.3]

(d) *Maritime Commission Patent Royalty Adjustment Office.*

Patent Counsel, Legal Division, U. S. Maritime Commission, Room 5709, Department of Commerce Building, Washington 25, D. C., Tel. Executive 3340, Ext. 959.

[RR 796.4]

(e) *Reconstruction Finance Corporation Patent Royalty Adjustment Office.*

General Counsel, Price Adjustment Board, Reconstruction Finance Corporation, Room 947, Lafayette Building, 811 Vermont Avenue, NW., Washington 25, D. C., Tel. Executive 3111, Ext. 181.

[RR 796.5]

PART 1608—TEXT OF STATUTES, ORDERS, JOINT REGULATIONS AND DIRECTIVES

SUBPART A—STATUTES AND EXECUTIVE ORDERS

Section 1608.808 is added as follows:

§ 1608.808 *Proclamation 2631 specifying June 30, 1945, as the termination date of the Renegotiation Act.* Specification of the termination date as provided in the Renegotiation Act by the President of the United States of America (9 F.R. 13739). [RR 808]

SUBPART B—DELEGATION OF AUTHORITY

In § 1608.821, paragraph (b) is added as follows:

§ 1608.821 *Delegations from War Contracts Price Adjustment Board.* * * *

(b) *Delegation dated November 10, 1944, to the Secretaries.*

DELEGATION BY THE WAR CONTRACTS PRICE ADJUSTMENT BOARD OF EXEMPTION AUTHORITY UNDER THE RENEGOTIATION ACT

NOVEMBER 10th, 1944.

1. For the purpose of this delegation, the terms "Board," "Department" and "Secretary" shall have the same meaning as when used

in the Renegotiation Act of 1943 (hereinafter referred to as the "Act").

2. Pursuant to the provisions of subsection (d) (4) of the act, the Board hereby delegates to each Secretary the power conferred upon the Board by subsection (1) (4) of the Act to exempt from some or all of the provisions of the Act, individual contracts entered into pursuant to his authority or the authority of his Department, and subcontracts under any such contracts (including subcontracts under any such contracts which are also subcontracts under contracts with other Departments); excepting from such delegation, however, any power to exempt from any of the provisions of the Act, any such contracts or subcontracts by general classes or types other than as provided in paragraph 3 hereof.

3. Pursuant to the provisions of subsection (d) (4) of the Act, the Board hereby delegates to each Secretary the power conferred upon the Board by subsection (1) (4) of the Act to exempt from some or all of the provisions of the Act any contracts or subcontracts with respect to patents or inventions, which contracts or subcontracts are license agreements, assignments, releases of, or covenants not to sue with respect to, claims for the manufacture or use of inventions, and any contracts or subcontracts for royalties charged or chargeable directly or indirectly to the United States which royalties are the subject of a royalty adjustment contract either pursuant to Public Law 768, 77th Congress, Chapter 634—2d Session, or otherwise: *Provided, however,* That each exemption made under this paragraph 3 which relates to general classes or types of contracts or subcontracts shall be limited to the contracts or subcontracts of specific contractors or subcontractors to whom amounts are or may be paid or payable under such contracts or subcontracts.

4. The powers, functions and duties hereby delegated to a Secretary may be delegated in whole or in part by him to such officers or agencies of the United States as he may designate, and he may authorize successive redelegations of such powers, functions or duties.

5. Without intending to limit the powers, functions and duties hereby delegated, nevertheless, each Secretary and each officer or agency of the United States to whom any power, function or duty is delegated or redelegated hereunder, shall exercise such power, function and duty, and all authority and discretion thereunder, in accordance with such interpretations of the Act and such regulations relating thereto as are issued or adopted by the Board and in accordance with the principles, policies and procedures established by the Board.

6. This delegation is subject to revocation or modification in whole or in part at any time.

7. The powers, functions and duties delegated hereby shall be effective immediately and shall be retroactive to the effective date of the Revenue Act of 1943.

8. This delegation supersedes paragraph 3 of delegation dated February 26, 1944 made by the War Contracts Price Adjustment Board to the Secretaries. The authority so superseded is not withdrawn from the Secretaries but is incorporated herein. Any action under such superseded authority is not affected hereby.

By Order of the War Contracts Price Adjustment Board.

W. JOHN KENNEY,
Vice Chairman.

[RR 821.2]

SUBPART D—EXEMPTIONS

1. In § 1608.841 (a) the item "Barytes, crude crushed" is added and the item "Titanium-bearing ores * * *" is amended to read as follows:

Titanium-bearing ores and concentrates, including ilmenite and rutile; titanium oxide; ferrotitanium; ferro carbon titanium.

2. In § 1608.845 (a), subparagraphs (10) and (11) are added to the list, as follows:

§ 1608.845 *Standard commercial article exemption.* (a) * * *

(10) Quick and hydrated lime.

(11) Dead-burned dolomite.

[R.R. 845]

[F. R. Doc. 44-18655; Filed, Dec. 8, 1944; 4:31 p. m.]

Chapter XX—Office of Contract Settlement

[Reg. 9]

PART 8008—INTERIM FINANCING

SUBPART A—GUARANTEED TERMINATION LOANS

DECEMBER 9, 1944.

Policy and procedure relating to guarantees by the services of termination loans to war contractors from public financing institutions.

Pursuant to the authority conferred upon me by sections 4 (b) and 8 (c) of the Contract Settlement Act of 1944, I hereby prescribe the following policies, principles and procedures relating to interim financing by means of termination loans made, participated in, or guaranteed by the Reconstruction Finance Corporation and the Smaller War Plants Corporation (hereinafter called public financing institutions):

Sec.

- 8008.31 Authority of public financing institutions to engage in interim financing.
- 8008.32 Authority of services on T-loan guarantees to public financing institutions.
- 8008.33 Applicability of Regulation No. 1.
- 8008.34 Prior approval of guarantor required in all cases.
- 8008.35 Limitation on guarantees to public financing institutions.
- 8008.36 T-loans to refinance unguaranteed loans.
- 8008.37 Deferred participations or repurchase agreements.
- 8008.38 Information and certification from public financing institutions.

AUTHORITY: §§ 8008.31 to 8008.38, inclusive, issued under secs. 4 (b) and 8 (c) of the Contract Settlement Act of 1944, 58 Stat. 649.

§ 8008.31 *Authority of public financing institutions to engage in interim financing.* To the extent permitted by law, such public financing institutions, as contracting agencies, are authorized to act with all authority granted by the Contract Settlement Act of 1944; and without limiting the generality of the foregoing:

(a) To make direct loans; and

(b) To issue guarantees to, enter into direct present participations with, or enter into repurchase agreements or deferred participations with, any public or private financing institution for the purpose of financing any war contractor, or any person who is or has been engaged in performing any operation

deemed to be connected with or related to war production, in connection with or in contemplation of the termination of one or more war contracts or operations.

§ 8008.32 *Authority of services on T-loan guarantees to public financing institutions.* The War Department, the Navy Department and the Maritime Commission (hereinafter called the Services) are authorized to issue to public financing institutions through the Federal Reserve Banks as fiscal agents of the United States T-loan guarantees of the following types:

(a) A T-loan guarantee of direct loans made by a public financing institution;

(b) A T-loan guarantee of the entire loan made by a public financing institution directly and presently participated in by a private financing institution;

(c) A T-loan guarantee of the entire loan made by a private financing institution directly and presently participated in by a public financing institution.

§ 8008.33 *Applicability of Regulation No. 1.* To the extent not inconsistent with this regulation, the provisions of Regulation No. 1 (appearing at 9 F.R. 10358) and procedures established in connection therewith, including those relating to interest and fees, shall govern the issuance of T-loan guarantees to public financing institutions under this regulation.

§ 8008.34 *Prior approval of guarantor required in all cases.* Notwithstanding the provisions of paragraph 2 of Regulation No. 1, applications for guarantees of T-loans made or participated in by a public financing institution shall be submitted through established channels for prior approval of the Guarantor as in the case of non-delegated T-loan guarantees of loans made by private financing institutions. Since duplication of effort by Government agencies should be avoided, the Federal Reserve Banks are not required to investigate, review or comment upon such applications prior to submission to the Guarantor, *Provided*, That the Guarantor may make such investigation and obtain from the applicant, the Federal Reserve Banks, or other sources, such information relating to the application as it deems necessary to protect the Government's interest.

§ 8008.35 *Limitation on guarantees to public financing institutions.* In no event shall any of the Services issue a T-loan guarantee in favor of a public financing institution pursuant to this regulation, if it appears that a private financing institution will promptly finance the war contractor, in an amount and subject to terms not substantially less favorable to the contractor, either without a guarantee or under a direct T-loan guarantee issued to it by any one of the services.

§ 8008.36 *T-Loans to refinance unguaranteed loans.* The services may in their discretion guarantee T-loans made by or participated in by a public financing institution, even though the proceeds of such T-loans are to be used to refinance unguaranteed loans made by or participated in by such public financ-

ing institution, provided that such T-loans shall be made only in an amount justified by the borrower's termination claims.

§ 8008.37 *Deferred participations or repurchase agreements.* Nothing in this regulation or in Regulation No. 1 shall require the services to guarantee or agree to purchase a deferred participation interest or repurchase agreement of a public financing institution entered into in connection with a loan made by a private financing institution.

§ 8008.38 *Information and certification from public financing institutions.* Public financing institutions are encouraged to provide the Federal Reserve Banks and the services with such information, recommendations, and certifications relative to applications for T-loans through private financing institutions as the public financing institutions may deem helpful; and the Federal Reserve Banks and the services shall give due consideration to, and may rely upon, such information and recommendations, and shall treat any certification of a public financing institution as to a war contractor's eligibility for a T-loan under the terms of a particular application as prima facie evidence of such eligibility.

ROBERT H. HINCKLEY,
Director.

[F. R. Doc. 44-18703; Filed, Dec. 11, 1944; 10:05 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

BRIDGE NEAR CORDESVILLE, S. C.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), the regulations governing the operation of the drawspan of the Seaboard Air Line Railway Company bridge across the Cooper River near Cordesville, South Carolina, are hereby further amended to read as follows:

§ 203.375 *Cooper River, S. C.; Seaboard Air Line Railway Co. bridge near Cordesville, S. C.* (a) The owner of or agency controlling the above-named bridge will not be required to keep a draw tender in constant attendance until two months after the termination of the present war: *Provided*, That a draw tender will be placed in constant attendance upon ten days' notice in writing from the District Engineer of the Engineer Department in charge of the locality.

(b) Whenever a vessel, unable to pass under the closed bridge, desires to pass through the draw, at least 24 hours' advance notice of the time the opening is required shall be given to the authorized representative of the owner or agency controlling the bridge.

(c) Upon receipt of such advance notice, the authorized representative of the owner of or agency controlling the bridge, in compliance therewith, shall arrange for the prompt opening of the draw at the time specified in the notice for the passage of the vessel.

(d) The owner of or agency controlling the bridge shall keep conspicuously posted on both the upstream and downstream sides thereof, in such manner that it can easily be read at any time, a copy of these regulations together with a notice stating exactly how the representative specified in paragraph (b) of this section may be reached.

(e) The operating machinery of the draw shall be maintained in a serviceable condition, and the draw shall be opened and closed at intervals frequent enough to make certain that the machinery is in proper order for satisfactory operation. (28 Stat. 362; 33 U.S.C. 499) [Regs. 19 Nov. 1943, CE 823.01 SPEKH as amended by Regs. 27 Nov. 1944, CE 823.01 SPEWR]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44-18700; Filed, Dec. 9, 1944;
4:53 p. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[Gen. Order 22, Rev., Amdt. 1]

PART 310—MERCHANT MARINE TRAINING ENTRANCE STANDARDS

Section 310.5 *Entrance standards*, is amended by striking out all of paragraph (a) of said section and substituting the following in lieu thereof:

§ 310.5 *Entrance standards*. (a) Effective December 1, 1944, a candidate for admission to a State Maritime Academy must be a male citizen of the United States and must qualify in all respects as a Midshipman, Merchant Marine Reserve, United States Naval Reserve, and be appointed as such. He must be of robust constitution, physically sound and of good moral character, not less than 17 years of age: *Provided*, That the candidate will have reached his 19th birthday upon completion of course and shall not have reached his 23rd birthday on date of entrance; *Provided*, That within this range, each state may fix its upper age limit for cadets appointed by the state. When admitted, after approval by the Navy, he will wear the insignia and be entitled to all rights and privileges of the Naval Reserve.

E. S. LAND,
Administrator.

DECEMBER 8, 1944.

[F. R. Doc. 44-18652; Filed, Dec. 8, 1944;
3:05 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 259]

PART 95—CAR SERVICE

PERMIT REQUIRED FOR SHIPMENT OF IRISH POTATOES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 9th day of December, A. D. 1944.

It appearing, that Marvin Jones, War Food Administrator, has issued December 8, 1944, Title 7—Agriculture, Chapter XI—War Food Administration, War Food Order No. 120, Part 1405—Fruits and Vegetables, § 1405.48 effective at 12:01 a. m., e. w. t., December 11, 1944 (*supra*) which provides that "No person shall ship Irish potatoes from any area included in the territorial scope of this order * * * until he has applied to the Director for and he has received from the Director a permit to ship the particular lot * * *"; that the War Food Administrator has advised the Director of the Office of Defense Transportation of this fact who in turn has requested this Commission by letter to take such action as it deems necessary; that the loading of Irish potatoes without such permit will result in undue detention of cars the Commission is of the opinion that an emergency exists requiring immediate action:

It is ordered, that:

(a) *Definition*. As used in this order the term "Irish potatoes" means any and all varieties of the edible tuber of the species *Solanum tuberosum*.

(b) *Permit for transportation by common carrier by railroad of Irish potatoes*. No common carrier by railroad subject to the Interstate Commerce Act shall furnish or supply a railroad freight car or cars (including a refrigerator car or cars) for loading with, or transport or move such car or cars loaded with Irish potatoes, from any of the areas designated in Appendix A hereof, unless the shipper thereof presents to such carrier a permit authorizing the shipment of such Irish potatoes pursuant to the provisions of War Food Order No. 120, issued by the War Food Administrator or of any supplement thereto or amendment or reissue thereof.

(c) *Exemptions*. The requirements of paragraph (b) of this order shall not apply to any transportation of Irish potatoes for the shipment of which no permit is required by the provisions of War Food Order No. 120, or by reason of any exemption made or relief granted under that order.

(d) *Application*. (1) The provisions of this order shall apply to intrastate as well as interstate commerce.

(2) The provisions of this order shall apply only to cars into which Irish potatoes are loaded on or after the effective

date hereof. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)-(17))

It is further ordered, that this order shall become effective at 12:01 a. m., e. w. t., December 11, 1944, and shall continue in force until further order of the Commission; that copies of this order, and direction shall be served upon the State railroad regulatory bodies of each State named in Appendix A hereof, or as same may be amended, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

APPENDIX A

Area No. 1: The county Malheur in the State of Oregon and the State of Idaho except the county of Idaho and all counties north thereof in the State of Idaho.

Area No. 2: The counties of Crook, Deschutes, and Klamath in the State of Oregon and the counties of Modoc and Siskiyou in the State of California.

[F. R. Doc. 44-18713; Filed, Dec. 11, 1944;
10:22 a. m.]

Chapter II—Office of Defense Transportation

[General Order ODT L-4]

PART 504—DIRECTION OF MOTOR TRAFFIC MOVEMENT

MOTOR TRANSPORTATION OF IRISH POTATOES FROM DESIGNATED AREAS

General outline. This order relates to the transportation of Irish potatoes from certain designated areas in the States of Idaho, Oregon, and California by common, contract, and private carriers by motor vehicle. Such transportation is prohibited unless the shipper presents to such common carrier or contract carrier, or such private carrier obtains, a permit from the Director of Distribution, War Food Administration, pursuant to War Food Order No. 120 (*supra*) authorizing the shipment of such Irish potatoes. Issuance of permits will be by a representative of the Director of Distribution, War Food Administration, not by the Office of Defense Transportation. Application for such permit, and any inquiry regarding the requirements or effect of War Food Order No. 120 should be addressed to the Deputy Order Administrator, War Food Administration, serving the area in which the person affected by that order resides or does business. The restriction of this order does not apply to any transportation of Irish

potatoes in respect of which no permit is required by the provisions of War Food Order No. 120, or by reason of any exemption made or relief granted thereunder.

Any permit issued by the War Food Administration shall not be construed as permitting any common, contract, or private carrier, to violate any order or written direction of the Office of Defense Transportation.

This general outline shall not be construed to alter the meaning of any provision contained in the order. The text of General Order ODT L-4 follows:

Pursuant to Title III of the Second War Powers Act, 1942, Executive Orders 8989, as amended, and 9156, War Production Board Directive 21, and an authorization and request contained in a certificate of the War Food Administration dated December 8, 1944, it is hereby ordered, that:

Sec.

504.30 Definitions.

504.31 Restriction upon transportation by motor vehicle of Irish potatoes from designated areas.

504.32 Submission of records and property for examination and inspection by authorized representative.

504.33 Communications.

AUTHORITY: §§ 504.30 through 504.33, inclusive, issued under Title III of the Second War Powers Act, 1942, 56 Stat. 177, 50 U.S. Code § 633; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; War Production Board Directive 21, 8 F.R. 5834; Certificate of War Food Administration dated December 8, 1944.

§ 504.30 *Definitions.* As used in this order, and unless otherwise indicated by the context, the term:

(a) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity.

(b) "Irish potatoes" means any and all varieties of the edible tuber of the species *solanum tuberosum*.

(c) "Common carrier" means any person that holds itself out to the general public to engage in transportation of property by motor vehicle for compensation.

(d) "Contract carrier" means any person that, under individual contracts or agreements, engages in the transportation of property by motor vehicle for compensation.

(e) "Private carrier" means any person not included in the term "common carrier" or "contract carrier" that transports by motor vehicle property of which such person is the owner, lessee, or bailee, when such transportation is for the purpose of sale, lease, rent, or bailment, or in furtherance of any commercial enterprise.

(f) "Motor vehicle" means any rubber-tired vehicle propelled or drawn by mechanical power.

§ 504.31 *Restriction upon transportation by motor vehicle of Irish potatoes*

from designated areas. (a) No person shall transport Irish potatoes by motor vehicle, as a common carrier, contract carrier, or private carrier, from any of the areas designated in Appendix A hereof, unless the shipper thereof presents to such common carrier or contract carrier, or such private carrier obtains, a permit authorizing the shipment of such Irish potatoes, pursuant to the provisions of War Food Order No. 120 issued by the War Food Administration, or of any supplement thereto or amendment or reissue thereof: *Provided*, That the restrictions of this section shall not apply to any transportation of Irish potatoes in respect of which no permit is required by the provisions of War Food Order No. 120 or by reason of any exemption made or relief granted under that order.

(b) Nothing contained in this order, or in any permit issued by the War Food Administration, shall be construed as permitting or requiring any common carrier, contract carrier, or private carrier, to perform any transportation service which is in violation of any order or written direction which has been or may hereafter be issued by the Office of Defense Transportation, and which is in effect at the time of such transportation.

§ 504.32 *Submission of records and property for examination and inspection by authorized representative.* Any person transporting Irish potatoes from any area designated in Appendix A of this order by motor vehicle, as a common carrier, contract carrier, or private carrier, shall submit his books, records, and other writings, including a copy of any permit issued pursuant to War Food Order No. 120 pertaining to such transportation, and premises and property used in connection therewith, to any accredited representative of the Office of Defense Transportation or the War Food Administration upon demand and the display of proper credentials, for such examination and inspection as may be necessary or appropriate to the enforcement or administration of this order.

§ 504.33 *Communications.* Communications concerning this order should refer to General Order ODT L-4 and, unless otherwise directed, should be addressed to the Director, Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This General Order ODT L-4 shall become effective December 11, 1944.

Issued at Washington, D. C., this 8th day of December 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

APPENDIX A—DESIGNATED AREAS

Area No. 1: The State of Idaho except the county of Idaho and all counties north thereof in the State of Idaho, and the county of Malheur in the State of Oregon.

Area No. 2: The counties of Crook, Deschutes, and Klamath in the State of Oregon and the counties of Modoc and Shasta in the State of California.

[F. R. Doc. 44-18668; Filed, Dec. 9, 1944; 11:00 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

MILK RIVER PROJECT, MONT.

REVOCATION OF SECOND FORM WITHDRAWAL

OCTOBER 26, 1944.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Milk River project, the withdrawal of the hereinafter described land, withdrawn in the second form prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388), by Departmental Order of February 9, 1903, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said order as withdrew the land hereinafter listed be revoked, *Provided*, That such revocation shall not affect the withdrawal of any other land by said order or affect any other order withdrawing or reserving the land herein-after listed.

MILK RIVER PROJECT

PRINCIPAL MERIDIAN, MONTANA

T. 31 N., R. 24 E.,
Sec. 2, Lots 2 and 4.

Respectfully,

[SEAL] H. W. BASHORE,

I concur November 22, 1944.

Fred W. Johnson,
Commissioner of the General
Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

NOVEMBER 27, 1944.

[F. R. Doc. 44-18693; Filed, Dec. 9, 1944; 2:45 p. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4469]

ILLINOIS HERB Co.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

In the matter of Charles A. Bilgman, individually and trading as Illinois Herb Company.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 8th day of December, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and ap-

pointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, January 2, 1945, at ten o'clock in the forenoon of that day (central standard time), room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and receive evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-18744; Filed, Dec. 11, 1944;
11:19 a. m.]

[Docket No. 5253]

NATIONAL LEAD CO., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 9th day of December, A. D. 1944.

In the matter of National Lead Co., a corporation, Eagle-Picher Lead Co., a corporation, Eagle-Picher Sales Co., a corporation, Anaconda Copper Mining Co., a corporation, International Smelting & Refining Co., a corporation, The Sherwin Williams Co., a corporation, and The Glidden Co., a corporation.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Webster Ballinger, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, January 15, 1945, at two o'clock in the afternoon of that day (eastern standard time) in room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-18745; Filed, Dec. 11, 1944;
11:20 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 725]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, December 6, 1944, by F. E. Baldwin Company, of car GARX 9139, potatoes, now on the Wood Street Terminal, to Red Dot Foods, Inc., Madison, Wisconsin (Milw.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of December 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-18709; Filed, Dec. 11, 1944;
10:22 a. m.]

[S. O. 70-A, Special Permit 726]

RECONSIGNMENT OF ONIONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, December 6, 1944, by National Produce Company, of car PFE 90363, onions, now on the Wood Street Terminal, to National Produce Company, Indianapolis, Indiana (P. R. R.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of December 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-18710; Filed, Dec. 11, 1944;
10:22 a. m.]

[S. O. 70-A, Special Permit 727]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, December 6, 1944, by Sterling Huxtable Company, of car NWX 14183, potatoes, now on the Wood Street Terminal, to Mascari Sons, Memphis, Tennessee (C&EI-MoPac).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of December 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-18711; Filed, Dec. 11, 1944;
10:22 a. m.]

[S. O. 70-A, Special Permit 728]

RECONSIGNMENT OF CABBAGE AT CLEVELAND, OHIO

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Cleveland, Ohio, December 6 or 7, 1944, by York State Fruit Distributors, of car MDT 18267, cabbage, now on the New York Central Railroad, to Birmingham, Alabama.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the gen-

eral public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of December 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-18712; Filed, Dec. 11, 1944;
10:22 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4347]

WILHELMINA NICORA

In re: Estate of Wilhelmina Nicora, deceased; File D-66-1901; E. T. sec. 11046.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Sigismund Boier, Marie Boier or Balog, Ludovi or Ludwig Boier, Agnita or Agnes Boier and Heirs of Roza Boier, and each of them, in and to the Estate of Wilhelmina Nicora, deceased,

is property payable or deliverable to, or claimed by, nationals of designated enemy countries, Roumania and Hungary, namely,

Nationals and Last Known Address

Sigismund Boier, Roumania.
Marie Boier or Balog, Hungary.
Ludovi or Ludwig Boier, Hungary.
Agnita or Agnes Boier, Roumania.
Heirs of Roza Boier, Roumania.

That such property is in the process of administration by Monongahela Trust Company, as Executor of the Estate of Wilhelmina Nicora, acting under the judicial supervision of the Orphans' Court of Allegheny County, Pennsylvania;

And determining that to the extent that such nationals are persons not within designated enemy countries, the national interest of the United States requires that such persons be treated as nationals of designated enemy countries, (Roumania and Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be

No. 247—5

determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 23, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-18656; Filed, Dec. 9, 1944;
10:24 a. m.]

[Vesting Order 4348]

KENJI OKURA, ET AL.

In re: Guardianship estates of Kenji Okura, Teruko Okura and Takako Okura; File F-39-4077; E. T. sec. 11685; H-258.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All the property and estate of Kenji Okura, Teruko Okura and Takako Okura, and each of them, of any nature whatsoever in the possession of Arthur E. Restarick, as Guardian of the estates of Kenji Okura, Teruko Okura and Takako Okura,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Kenji Okura, Japan.
Teruko Okura, minor, Japan.
Takako Okura, minor, Japan.

That such property is in the process of administration by Arthur E. Restarick, as Guardian of the estates of Kenji Okura, Teruko Okura and Takako Okura, acting under the judicial supervision of the Circuit Court, First Judicial Circuit, Territory of Hawaii;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien

Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on November 23, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-18657; Filed, Dec. 9, 1944;
10:24 a. m.]

[Vesting Order 4349]

JOHN C. SCHUELE

In re: Estate of John C. Schuele, deceased; File D-28-7463, E. T. sec. 7683.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described, as follows: All right, title, interest and claim of any kind or character whatsoever of August Grupp, Ludwig Grupp, Adolph Grupp, Richard Grupp and Mina Goetz, and each of them, in and to the Estate of John C. Schuele, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

August Grupp, Germany.
Ludwig Grupp, Germany.
Adolph Grupp, Germany.
Richard Grupp, Germany.
Mina Goetz, Germany.

That such property is in the process of administration by Paul Grupp and Henrietta C. Brown, as Executors, acting under the judicial supervision of Hudson County Orphans' Court, Jersey City, New Jersey;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the in-

terest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on November 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-18658; Filed, Dec. 9, 1944;
10:24 a. m.]

[Vesting Order 4350]

KATHARINE SCHULZ

In re: Estate of Katharine Schulz, also known as Käthe Schulz, Käthi Schulz, Katherina Schulz, and Katharina Schulz and Catherine Schulz, deceased; File No. D-28-8830; E.T. sec. 10914.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Anna Schafer, Barbara Vollmer, Franz Laag and Katharina Schäfer, and each of them, in and to the estate of Katharine Schulz, also known as Käthe Schulz, Käthi Schulz, Katherina Schulz, and Katharina Schulz, and Catherine Schulz, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Anna Schafer, Germany.
Barbara Vollmer, Germany.
Franz Laag, Germany.
Katharina Schäfer, Germany.

That such property is in the process of administration by Magdalena Schaefer, as Executrix of the Estate of Katherine Schulz, also known as Käthe Schulz, Käthi Schulz, Katherina Schulz, and Katharina Schulz, and Catherine Schulz, deceased, acting under the judicial supervision of the Surrogate's Court, County of Queens, State of New York;

And determining that to the extent that such nationals are persons not within a des-

ignated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-18659; Filed, Dec. 9, 1944;
10:24 a. m.]

[Vesting Order 4351]

LOUISE C. STAPLES

In re: Estate of Louise C. Staples, deceased; File D-28-9097; E. T. sec. 11701.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of wife and children, names unknown, of Gothold Fix and wife and children, names unknown, of Ernest Fix, and each of them, in and to the Estate of Louise C. Staples, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Wife and children, names unknown, of Gothold Fix, Germany.

Wife and children, names unknown, of Ernest Fix, Germany.

That such property is in the process of administration by Minnie N. Hudson, as Executrix, acting under the judicial supervision of the Corporation Court for the City of Norfolk, Virginia;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on November 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-18660; Filed, Dec. 9, 1944;
10:24 a. m.]

[Vesting Order 4352]

MARIE J. SUHR

In re: Estate of Marie J. Suhr, deceased; File D-66-1984; E. T. sec. 11302.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Hermann Stolte, Carl Stolte, Richard Stolte and Gertrude Stolte Kuhl, and each of them, in and to the Estate of Marie J. Suhr, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hermann Stolte, Germany.
 Carl Stolte, Germany.
 Richard Stolte, Germany.
 Gertrude Stolte Kuhl, Germany.

That such property is in the process of administration by Herbert E. Dreyer and Thelma Dreyer Heath, Executors of the Estate of Marie J. Suhr, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on November 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-18661; Filed, Dec. 9, 1944;
 10:24 a. m.]

[Vesting Order 4353]

LILLIE WELKER

In re: Estate of Lillie Welker, deceased; File No. D-28-2435; E. T. sec. 3656.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Alfons Kopp, a/k/a Carl Joseph Alfons Kopp, and Erika

Kopp, and each of them, in and to the Estate of Lillie Welker, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Alfons Kopp, a/k/a Carl Joseph Alfons Kopp, Germany.
 Erika Kopp, Germany.

That such property is in the process of administration by George Welker, as Executor of the Estate of Lillie Welker, deceased, acting under the judicial supervision of the Surrogate's Court of Nassau County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated; sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-18662; Filed, Dec. 9, 1944;
 10:25 a. m.]

[Vesting Order 4354]

CHRISTINE WEND

In re: Estate of Christine Wend, also known as Christina Wend, deceased; File D-28-2436, E. T. sec. 3657.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Heinrich Ringle, Wilhelm Ringle and Martha Limberger, and each of them, in and to the Estate of Christine Wend, also known as Christina Wend, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Heinrich Ringle, Germany.
 Wilhelm Ringle, Germany.
 Martha Limberger, Germany.

That such property is in the process of administration by Elsie Vollmar and Henry Melrels, as Executors, acting under the judicial supervision of the Surrogate's Court, Kings County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-18663; Filed, Dec. 9, 1944;
 10:25 a. m.]

[Vesting Order 4355]

JOHN J. WIEGAND

In re: Trust created by agreement of John J. Wiegand, Donor, dated August 12, 1937, File D-28-8407; E. T. sec. 9816.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of John Henry Wiegand, Elizabeth Wiegand, child or children of John Henry Wiegand and of Elizabeth Wiegand, name or names unknown, and each of them, in and to the trust estate created under a certain Indenture of Trust, dated August 12, 1937, by and between John J. Wiegand and The National Bank of Lorain, Lorain, Ohio,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

John Henry Wiegand, Germany.

Elizabeth Wiegand, Germany.

Child or children of John Henry Wiegand and of Elizabeth Wiegand, name or names unknown, Germany.

That such property is in the process of administration by The National Bank of Lorain, 457 Broadway, Lorain, Ohio, as Trustee, acting under the judicial supervision of the Common Pleas Court of Lorain County, Ohio;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-18664; Filed, Dec. 9, 1944; 10:25 a. m.]

[Vesting Order 4356]

ELISE HEDWIG WIENHOLD

In re: Estate of Elise Hedwig Wienhold, also known as Eliza Hedwig Wienhold, deceased; D-28-3685, E. T. sec. 10516.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Luise Margarethe Wienhold in and to the Estate of Elise Hedwig Wienhold, also known as Eliza Hedwig Wienhold, deceased, and

All that certain real property situated within Santa Fe, New Mexico, particularly described as follows:

Beginning at the southwest corner of this tract which is marked by an iron stake set on the west side of Garcia Street, from which the center of the manhole of the sanitary sewer at the intersection of Acequia Madre Road with Garcia Street, bears S. 16 deg. 48 min. W., 122.3 feet, thence N. 11 deg. 54 min. E., 89.4 feet, along the east side of Garcia Street, to an iron stake; thence S. 80 deg. 27 min. E., 69.0 feet to an iron stake; thence N. 9 deg. 30 min. E. 81.9 feet to an iron stake; thence S. 79 deg. 14 min. E., 39.2 feet to an iron stake; thence N. 8 deg. 00 min. E., 75.2 feet to an iron stake set for the Northwest corner of this tract; thence S. 80 deg. 31 min. E. 128.6 feet to an iron stake set for the northeast corner of this tract; thence S. 8 deg. 02 min. W. 70.4 feet to an iron stake; thence N. 80 deg. 56 min. W., 60.0 feet to an iron stake; thence S. 8 deg. 21 min. W., 159.5 feet to an iron stake set for the southeast corner of this tract; thence N. 61 deg. 50 min. W., 49.6 feet to an iron stake; thence N. 78 deg. 06 min. W., 57.8 feet to an iron stake; thence S. 3 deg. 22 min. W., 78.0 feet to an iron stake; thence N. 79 deg. 38 min. W., 51.4 feet to an iron stake; thence N. 12 deg. 10 min. E., 38.5 feet to an iron stake; thence N. 78 deg. 37 min. W., 37.3 feet to the place of beginning. Being Lot 54 and a portion of Lots 52 and 57, of Block 83 of King's Official map, and of Block 83-A of the 1924 Official Map of Santa Fe, New Mexico; and being bounded as follows: on the north by property of the estate of Victor Vigil which was formerly of Francisco Garcia, May Martinez Smith and Daisy Curtis; on the South by property of H. Livingston which was formerly of Agnes Sommerville, Irene S. Peck which was formerly of Clarence O. Harrison, and Jose Ortiz y Pino; and on the East by property of H. Livingston, which was formerly of Agnes Sommerville, and Irene S. Peck which was formerly of Clarence O. Harrison, and on the West by property of Jose Ortiz y Pino, Garcia Street, the estate of Victor Vigil which was formerly of Francisco Garcia and May Martinez Smith, all as represented upon the map of a survey made in the field by Walter G. Turley, licensed surveyor, on March 25, 1939,

Together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Luise Margarethe Wienhold, Germany.

That such property is in the process of administration by John E. Hall, as Administrator of the Estate of Elise Hedwig Wienhold, also known as Eliza Hedwig Wienhold, acting under the judicial supervision of the

Probate Court, Santa Fe County, New Mexico;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determination and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-18665; Filed, Dec. 9, 1944; 10:25 a. m.]

[Vesting Order 4357]

WAKAMATSU YAMANA

In re: Estate of Wakamatsu Yamana, deceased; File D-39-18323; E. T. sec. 11694; H-237.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of the children, names unknown, of Shinichi Yamana, deceased, Tama Kimura, Riechi Yamana, Uehi Daga and Otojiro Yamana, and each of them, in and to the Estate of Wakamatsu Yamana, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Children, names unknown, of, Shinichi Yamana, deceased, Japan.
Tama Kimura, Japan.
Rilichi Yamana, Japan.
Ulchi Daga, Japan.
Otojiro Yamana, Japan.

That such property is in the process of administration by James I. Nishikawa, as Administrator, acting under the judicial supervision of the Circuit Court, First Judicial Circuit, Territory of Hawaii:

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-18666; Filed, Dec. 9, 1944;
10:25 a. m.]

[Vesting Order 4372]

CHARLES SEITZ

In re: Estate of Charles Seitz, deceased; File D-28-8783; E. T. sec. 10738.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Aloise Zierer, Children, names unknown, of Aloise Zierer,

Thekla Kirzeder, Child, name unknown, of Thekla Kirzeder, Child, name unknown, of Thekla Kirzeder, and each of them, in and to the Estate of Charles Seitz, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Aloise Zierer, Germany.
Children, names unknown, of Aloise Zierer, Germany.
Thekla Kirzeder, Germany.
Child, name unknown, of Thekla Kirzeder, Germany.
Child, name unknown, of Thekla Kirzeder, Germany.

That such property is in the process of administration by Ernest A. Michels, as Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of San Diego;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-18667; Filed, Dec. 9, 1944;
10:25 a. m.]

[Vesting Order 4332]

CHARLES J. AHRENFELDT

In re: Trusts created under the last will and testament of Charles J. Ahren-

feldt, deceased; File No. D-28-1787; E. T. sec. 1121.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Karl Hugo Wolfgang Von Schlierholz, Helene Anne Charlotte Von Ernst (Ernest), Baron Hans Heinz von Wangenheim, Count Waldemar von Uxkull Gyllenband, Lucia Glachi, Ariane Glachi, Isotta Glachi, Frelfrau Lucy von Wangenheim, Hans-Werner Freiherr von Wangenheim, Ernst Dieter Hubertus Freiherr von Wangenheim, Heinz Joachim Freiherr von Wangenheim, lineal descendants, names unknown, of Lucy Therese von Uxkull Gyllenband and lineal descendants, names unknown, of Helene Julie von Schlierholz, and each of them, in and to the Trusts created under the last will and testament of Charles J. Ahrenfeldt, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Karl Hugo Wolfgang Von Schlierholz, Germany.
Helene Anne Charlotte Von Ernst (Ernest), Germany.
Baron Hans Heinz von Wangenheim, Germany.
Count Waldemar von Uxkull Gyllenband, Germany.
Lucia Glachi, Germany.
Ariane Glachi, Germany.
Isotta Glachi, Germany.
Frelfrau Lucy von Wangenheim, Germany.
Hans-Werner Freiherr von Wangenheim, Germany.
Ernst Dieter Hubertus, Germany.
Freiherr von Wangenheim, Germany.
Heinz Joachim Freiherr von Wangenheim, Germany.
lineal descendants, names unknown, of Lucy Therese von Uxkull Gyllenband, Germany.
lineal descendants, names unknown, of Helene Julie von Schlierholz, Germany.

That such property is in the process of administration by the City Bank Farmers Trust Company, as Trustee of the trusts created under the Last Will and Testament of Charles J. Ahrenfeldt, acting under the judicial supervision of the Surrogate's Court of Kings County, Brooklyn, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or

in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-18547; Filed, Dec. 7, 1944;
11:18 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 2-10]

KANSAS CITY PUBLIC SERVICE CO.

SUBSTITUTION OF MOTOR VEHICLE PASSENGER SERVICE FOR STREET RAILWAY SERVICE

Upon consideration of the application for authority to substitute motor vehicle bus service for certain street railway passenger service filed with this Office by the Kansas City Public Service Company, as contemplated by General Order ODT 2 (7 F.R. 2952), and good cause appearing therefor,

1. The Kansas City Public Service Company is authorized to substitute motor vehicle bus service over that section of the 10th Street car line along 10th Street between Kansas Avenue and Central Avenue in Kansas City, Kansas, for the street railway service now operated by it between said streets: *Provided, however*, That the effective date of this order shall be the effective date of an order or orders, if any, issued by appropriate regulatory authorities authorizing the abandonment of such railway service and the removal of such rail.

2. Communications concerning this order should refer to Supplementary Order ODT 2-10 and should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

Issued at Washington, D. C., this 11th day of December 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 44-18734; Filed, Dec. 11, 1944;
11:26 a. m.]

OFFICE OF PRICE ADMINISTRATION

[MPR 120, Order 1200]

KOPPERS COAL DIVISION

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Powellton No. 3 Eagle Mine of Koppers Coal Division (Eastern Gas & Fuel Associates) is hereby assigned

Mine Index No. 7229 and its coals are classified in Freight Origin Group No. 123 and Maximum Truck Price Group No. 4.

(b) Coals produced by Koppers Coal Division from the Eagle Seam, at its Powellton No. 3 Eagle Mine, Mine Index No. 7229 in Subdistrict No. 4 of District No. 8, are hereby classified as follows, and may be purchased and sold for the indicated uses and movements at per net ton prices in cents per net ton not exceeding the following:

	Size group No.												
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19, 20, 21
Price classifications.....	L	L	L	L	F	F	E	E	O	E	A	A	A
Rail shipments (including railroad fuel, all uses).....	350	350	345	345	355	340	320	315	315	370	305	305	305
Truck shipments.....	360	370	340	350	320	305	260	255	-----	-----	-----	-----	800

(c) The prices established herein are f. o. b. the mine or preparation plant for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad fuel.

(d) All prayers of applicant not granted herein are hereby denied.

(e) This order may be revoked or amended at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

This order shall become effective December 11, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong. E. O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18681; Filed, Dec. 9, 1944;
11:57 a. m.]

[MPR 120, Order 1201]

A AND B COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an accompanying opinion, and in accordance with

A AND B COAL CO., BOX 623, SMITHTON, PA., BURKEY NO. 2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4229 WESTMORELAND COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT, SMITHTON, PA., DEEP MINE, RAILROAD, FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP NO. 8

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification.....	D	D	O	O	O	O	O	O	O	-----	-----
Rail shipment.....	335	335	335	335	335	325	300	300	280	-----	-----
Railroad fuel.....	335	335	335	335	335	325	300	300	280	270	-----
Truck shipment.....	415	415	415	395	365	365	365	305	295	295	253

AINSLY AND WHYEL, MASONTOWN, PA., SOKUM STRIP MINE, PITTSBURGH SEAM, MINE INDEX NO. 4227, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT, MASONTOWN, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 6, MAXIMUM TRUCK PRICE GROUP NO. 7

	E	E	O	O	O	D	D	D	D	-----	-----
Price classification.....	310	310	310	310	310	290	270	270	215	-----	-----
Rail shipment.....	310	310	310	310	310	290	270	270	215	215	-----
Railroad fuel.....	310	310	310	310	310	290	270	270	215	215	-----
Truck shipment.....	415	415	415	395	375	375	375	310	290	290	253

ASH AND SMITH COAL CO., 90 STEWART AVE., UNIONTOWN, PA., SMITH No. 4 MINE, PITTSBURGH SEAM, MINE INDEX No. 4224, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT, POINT MARION, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 7, MAXIMUM TRUCK PRICE GROUP No. 7

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification.....	F	F	E	E	E	E	E	E	E	-----	-----
Rail and river shipments.....	285	285	280	280	280	270	270	270	270	270	270
Railroad fuel.....	285	285	280	280	280	270	270	270	270	270	270
Truck shipment.....	415	415	415	385	375	375	375	310	290	290	290

JOSEPH ASTRONKAS, POINT MARION, PA., LOCUST HILL MINE, PITTSBURGH SEAM, MINE INDEX No. 4223, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT, POINT MARION, PA. AND RICH HILL, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP 7, MAXIMUM TRUCK PRICE GROUP No. 7

Price classification.....	F	F	E	E	E	E	E	E	E	-----	-----
Rail shipment.....	310	310	305	305	305	295	275	275	275	275	275
Railroad fuel.....	310	310	305	305	305	295	275	275	275	275	275
Truck shipment.....	415	415	415	385	375	375	375	310	290	290	290

BROOKS COAL CO., 415 39TH ST., BEAVER FALLS, PA., BROOKS MINE, PITTSBURGH SEAM, MINE INDEX No. 4294, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT, CONNELLSVILLE, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 6, MAXIMUM TRUCK PRICE GROUP No. 7

Price classification.....	E	E	O	O	B	B	O	O	O	-----	-----
Rail shipment.....	310	310	310	310	310	300	275	275	275	275	275
Railroad fuel.....	310	310	310	310	310	300	275	275	275	275	275
Truck shipment.....	415	415	415	385	375	375	375	310	290	290	290

DOBSON COAL CO., P. O. BOX 163, CURTISVILLE, PA., DOBSON MINE, UPPER FREEPORT SEAM, MINE INDEX No. 4228, BUTLER COUNTY, PA., SUBDISTRICT 8, RAIL SHIPPING POINT, COLUMBIANA, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP 9, MAXIMUM TRUCK PRICE GROUP No. 2

Price classification.....	E	E	D	D	D	D	D	D	D	-----	-----
Rail shipment.....	335	335	325	325	325	315	295	295	295	295	295
Railroad fuel.....	335	335	325	325	325	315	295	295	295	295	295
Truck shipment.....	435	435	435	415	405	405	405	330	320	320	320

EUSTICE, PRITCHARD AND EUSTICE, 118 S. THIRD ST., CLARION PA., EUSTICE No. 1 MINE, FREEPORT SEAM, MINE INDEX No. 4233, BUTLER COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING POINT, KARNES CITY, KAYLOR, AND HOOVER, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 12, MAXIMUM TRUCK PRICE GROUP No. 2

Price classification.....	F	F	E	E	E	E	F	F	F	-----	-----
Rail shipment.....	285	285	280	280	280	270	270	270	270	270	270
Railroad fuel.....	290	290	280	280	280	275	270	270	270	270	270
Truck shipment.....	435	435	435	415	405	405	405	330	320	320	320

LIGONIER COAL CO., 403 SUMMITT AVE., LIGONIER, PA., LIGONIER COAL CO. MINE, UPPER FREEPORT SEAM, MINE INDEX No. 4219, WESTMORELAND COUNTY, PA., SUBDISTRICT 6, RAIL SHIPPING POINT, NORTH LIGONIER, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 14, MAXIMUM TRUCK PRICE GROUP No. 8

Price classification.....	F	F	E	E	E	E	F	F	F	-----	-----
Rail shipment.....	235	235	230	230	230	220	220	220	225	225	225
Railroad fuel.....	290	290	280	280	280	275	270	270	275	275	275
Truck shipment.....	415	415	415	395	385	385	335	335	335	335	335

THE LANGENFELDER MINING CO., BOX 402, MT. PLEASANT, PA., YOUNGWOOD No. 2 MINE, PITTSBURGH SEAM, MINE INDEX No. 4225, WESTMORELAND COUNTY, PA., SUBDISTRICT 4, RAIL SHIPPING POINT, CHARTER AND/OR DUNDAL, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 13, MAXIMUM TRUCK PRICE GROUP No. 8

Price classification.....	F	F	D	D	D	D	D	D	D	-----	-----
Rail shipment.....	285	285	300	300	300	290	270	270	245	245	245
Railroad fuel.....	290	290	300	300	300	290	270	270	245	245	245
Truck shipment.....	415	415	415	395	385	385	335	335	335	335	335

PITTSBURGH COAL CO., PITTSBURGH, PA., MATHIES MINE, PITTSBURGH SEAM, MINE INDEX No. 4215, WASHINGTON COUNTY, PA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 6

Truck shipment.....	425	425	425	385	375	375	375	325	290	290	290
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This order shall become effective December 11, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18682; Filed, Dec. 9, 1944; 11:58 a. m.]

[MPR 136, Amdt. 1 to Order 339]

DIVCO CORPORATION

ESTABLISHMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 339 Under Maximum Price Regulation 136, as amended. Machines and parts and machinery services. Divco Corporation, (Docket No. 3136-455).

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal

Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, and § 1390.25a of Maximum Price Regulation 136, as amended, It is ordered:

Paragraph (a) (1) (iii) of Order No. 339 under Maximum Price Regulation 136, as amended, is amended to read as follows:

(iii) A charge of \$5.00 when the truck is prepared by the seller for driveway from the factory, or a charge of \$10.00 when the truck is prepared by the seller for driveway from the Detroit river boat wharf.

This amendment shall be effective as of October 19, 1944.

Issued this 9th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18639; Filed, Dec. 9, 1944; 11:59 a. m.]

[MPR 203, Order 1]

VITALITY A NATURAL OILS AND CONCENTRATES

ADJUSTMENT OF MAXIMUM PRICES

Correction

In the document appearing on page 14464 of the issue for Saturday, December 9, 1944, the Federal Register document number should read "44-18630".

[MPR 260, Order 53]

SLATE CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, It is ordered, That:

(a) The Slate Company, 71 Washington Street, Quincy 69, Massachusetts (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
Womads.....	Londres.....	50	\$1.51	\$0.29

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the

same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 12, 1944.

Issued this 11th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-18758; Filed, Dec. 11, 1944;
11:58 a. m.]

[MPR 260, Order 56]

H. RODRIGUEZ & SONS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered, That:*

(a) H. Rodriguez & Sons, Box 56 Milwaukee Jct. Station, Detroit 11, Michigan (hereinafter called "importer") and wholesalers and retailers may sell, offer

to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
La Aroma Tropical.	Palmitas.....	25	\$154.00	3 for 55
	Palmitas.....	50	149.00	55
	Petit Cetros.....	25	195.00	25
	Petit Cetros.....	50	190.00	25
	Perfectos.....	25	225.00	30
	Petit Coronas.....	25	225.00	30
	Coronas.....	25	262.50	35
	Coronas Largas.....	25	360.00	48

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 12, 1944.

Issued this 11th day of December, 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-18759; Filed, Dec. 11, 1944;
12:06 p. m.]

[MPR 260, Order 58]

BAER-WOLF Co.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered, That:*

(a) Baer-Wolf Co., 1243 West Third Street, Cleveland, Ohio (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
La Intimidación.....	"25"	50	\$190	Cents 25
	"30"	25	225	30

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maxi-

imum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 12, 1944.

Issued this 11th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-18760; Filed, Dec. 11, 1944;
12:07 p. m.]

[MPR 260, Order 59]

SCHWAIN BROS.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered, That:*

(a) Schwain Brothers, 48 North Wilson Way, Stockton 39, Calif. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
La Flor de Lis...	Predilectos...	50	\$120	Cents 15
	Conchas...	50	145	3 for 55
	Paneteles...	50	145	20
	Londres...	50	140	3 for 55

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the

same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 12, 1944.

Issued this 11th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-18761; Filed, Dec. 11, 1944;
12:00 p. m.]

[MPR 260, Order 60]

PRICE & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered, That:*

(a) Price & Co., 936 Houston Ave., Port Arthur, Tex., (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
La Flor de Lis...	Londres...	25	\$145	Cents 3 for 55
	Panatella...	25	150	29
	Concha...	50	145	3 for 55

(b) The importer and wholesalers shall grant, with respect to their sales

of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 12, 1944.

Issued this 11th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-18762; Filed, Dec. 11, 1944;
12:06 p. m.]

[MPR 260, Order 61]

E. POPPER & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered, That:*

(a) E. Popper & Co., Inc., 315 E. 91st St., New York 28, N. Y. (hereinafter

called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
H. B.	American.	25	\$212.25	Cents 23

(b) The importer and wholesalers shall grant with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 12, 1944.

Issued this 11th day of December, 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-18763; Filed, Dec. 11, 1944;
12:06 p. m.]

[MPR 260, Order 62]

JOHNSON TOBACCO CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered, That:*

(a) Johnson Tobacco Co., 403 S. State St., Chicago, Ill. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
Wernado.	Americans. Londres.	25 25	\$161.50 156.00	Cents 20 20

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and

shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 12, 1944.

Issued this 11th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-18764; Filed, Dec. 11, 1944;
12:07 p. m.]

[Supp. Order 94, Order 12]

UNITED STATES TREASURY DEPARTMENT, PROCUREMENT DIVISION SPECIAL MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which tires classified "C-1" by the United States Army may be sold by United States Treasury Department, Procurement Division, and by resellers.

(b) *Maximum prices.* Maximum prices for tires classified "C-1" by the United States Army shall be:

Treasury's price to manufacturers	Manufacturer's price
\$30.00 per ton f. o. b. shipping point.	\$40.00 per ton f. o. b. destination.

(c) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective December 12, 1944.

Issued this 11th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18751; Filed, Dec. 11, 1944;
11:58 a. m.]

Regional and District Office Orders.

[Region VI Order G-104 Under SR 15 and MPR 280]

FLUID MILK IN ST. CLAIR AND MADISON COUNTIES, ILL.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 (a) of Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum distributor prices for sales of "Grade A" milk to civilian purchasers.* (1) The maximum prices for the sale and delivery of "Grade A" Milk, at wholesale and retail to civilian purchasers shall be the maximum prices determined under the General Maximum Price Regulation or Maximum Price Regulation No. 280, whichever shall be applicable for the type of sale being made, or the following prices, whichever shall be higher:

	Wholesale	Retail
Standard butterfat, "grade A" milk:	Cents	Cents
Bulk in cans, per gallon	50	53
Gallon	52	53
Half gallon	27	30
Quart	13½	15½
Pint	7	8
½ quart	5	5½
½ pint	4	5
Homogenized, "grade A" milk:		
Bulk in cans, per gallon	54	57
Gallon	56	59
Half gallon	29	32
Quart	14½	16½
Pint	7½	8½
½ quart	5	6
½ pint	4	5
Guernsey and soft curd, "grade A":		
Quart	17½	19½
Pint	8½	10
½ quart	5	6
½ pint	4	5
Acidophillus, "grade A":		
Quart	23	25
Whole milk buttermilk, "grade A":		
Quart	14	16
½ pint	3½	5
Pint	7½	8½
½ quart	5	6
Skim buttermilk, "grade A":		
Bulk in cans, per gallon	26	29
Gallon	28	30
Quart	9	10
Chocolate drink, "Grade A":		
Quart	14	16
½ quart	4½	5
½ pint	3½	4
Pint	7½	8½

(2) *Applicability of distributor prices for "Grade A" milk.* For the purposes set forth in paragraph (a) (1) of this order, sales and deliveries of "Grade A" milk shall mean:

(i) All sales of "Grade A" milk by distributors who are permitted, through the issuance of a formal permit by the appropriate health officer, to bottle and sell fluid milk labeled as "Grade A" under the Standard Milk Ordinance of the "East Side Health District" of St. Clair County, Illinois.

(ii) All sales of "Grade A" milk by sellers who have obtained "Grade A" milk from distributors described in subparagraph (i) above.

(b) *Maximum distributor prices for sales to civilian purchasers of milk other*

than "Grade A" for the Cities of Belleville, Collinsville, Edwardsville, Granite City, Madison, and Venice, Illinois. (1) The maximum prices for the sale and delivery of fluid milk other than "Grade A" at wholesale and retail for human consumption for the cities of Belleville, Collinsville, Edwardsville, Granite City, Madison, and Venice, Illinois, shall be the maximum prices determined under the General Maximum Price Regulation or Maximum Price Regulation No. 280, whichever shall be applicable for the type of sale being made, or the following appropriate prices, whichever shall be higher:

	Wholesale	Retail
Standard butterfat content milk:	Cents	Cents
Gallon, in bulk	49	51
Gallon	49	51
Half gallon	23	25
Quart	12	14
Pint	6½	8
½ pint	3½	5
Homogenized and vitamin D milk:		
Gallon, in bulk	43	45
Gallon	43	45
Half gallon	23	25
Quart	13	15
Pint	7	8½
½ pint	3½	5

(2) *Applicability of distributor prices.* For the purpose of paragraph (b) (1) of this order, sales and deliveries within the cities of Belleville, Collinsville, Edwardsville, Granite City, Madison, and Venice, Illinois, shall mean:

(i) All sales of other than "Grade A" milk made within the city limits of Belleville, Collinsville, Edwardsville, Granite City, Madison, and Venice, Illinois.

(ii) All sales of other than "Grade A" milk by any seller at retail at or from an establishment obtaining the major portion of its supply of other than "Grade A" milk from a seller at wholesale located within the cities of Belleville, Collinsville, Edwardsville, Granite City, Madison, and Venice, Illinois.

(c) *Maximum distributor prices for sales to civilian purchasers of milk: other than "Grade A" for all communities within St. Clair County and Madison County, except those communities in the townships of Godfrey, Foster, Moro, Alton, Wood River, and Fort Russell, and except the cities of Belleville, Collinsville, Edwardsville, Granite City, Madison, and Venice, Illinois.* (1) The maximum prices for the sale and delivery of fluid milk other than "Grade A" at wholesale and retail for human consumption for all communities within St. Clair County, Illinois, and Madison County, except those communities in the Townships of Godfrey, Foster, Moro, Alton, Wood River, and Fort Russell, and except the Cities of Belleville, Collinsville, Edwardsville, Granite City, Madison, and Venice, Illinois, shall be the maximum prices determined under the General Maximum Price Regulation or Maximum Price Regulation No. 280, whichever shall be applicable for the type of sale being made, or the following appropriate prices, whichever shall be higher:

	Wholesale	Retail
Standard butterfat content milk:	Cents	Cents
Gallon, in bulk	42	43
Gallon	42	43
Half gallon	22	23
Quart	11	13
Pint	6	7½
½ pint	3½	5
Homogenized and vitamin D milk:		
Gallon, in bulk	40	41
Gallon	40	41
Half gallon	20	21
Quart	12	14
Pint	6½	8
½ pint	3½	5

(2) *Applicability of distributor prices.* For the purpose of paragraph (c) (1) of this order, sales and deliveries in all communities within St. Clair County and Madison County, except those communities located in the Townships of Godfrey, Foster, Moro, Alton, Wood River, and Ft. Russell, and except the Cities of Belleville, Collinsville, Edwardsville, Granite City, Madison, and Venice, Illinois, shall mean:

(i) All sales of other than "Grade A" milk made within communities located in St. Clair County and Madison County, except those communities located in the Townships of Godfrey, Foster, Moro, Alton, Wood River, and Ft. Russell, and except the Cities of Belleville, Collinsville, Edwardsville, Granite City, Madison, and Venice.

(ii) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of other than "Grade A" milk from a seller at wholesale located within the communities described in subparagraph (i) above.

(d) *Multiple unit sales.* When the maximum price charged is expressed in terms of ½ cent, the price charged for a single unit at retail or wholesale may be increased to the next even cent. An opportunity must however be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(e) *Maximum distributor prices for sales of "Grade A" and other than "Grade A" milk: to the Army and Navy.* The maximum price for the sale and delivery of "Grade A" and other than "Grade A" milk to the Army and Navy shall be the price at wholesale computed under paragraphs (a), (b), or (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

(1) One-half cent per quart or a proportionate amount for a part of a quart.

(2) The actual transportation costs from the seller's point to the point of delivery at the lowest common carrier rate.

(f) *Definitions.* (1) "Grade A milk" means fluid cow's milk bottled and labeled under a permit issued by the Health Officer under the Standard Milk Ordinance of the "East Side Health Dis-

trict," which includes communities within the Townships of East St. Louis, Centerville, Canteen, and Stites in St. Clair County, Illinois.

(2) "Milk other than Grade A milk" shall mean cow's milk other than "Grade A" milk as defined in paragraph (1) above.

(3) "Standard butterfat content milk" shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or ordinance and distributed and sold for consumption in fluid form as whole milk.

(4) "Sales at wholesale" shall include all delivered sales to retail stores, restaurants, schools, hospitals, prisons, and other institutions.

(5) "Army" or "Navy" means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes and stores operated as Army canteens or post exchanges.

(g) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of Maximum Price Regulation No. 280, and of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during the applicable base period of such regulations. This order supersedes all previous orders issued by the Regional Administrator of the Office of Price Administration for Region VI, establishing maximum prices for the sale of fluid milk for human consumption within the geographical boundaries of the communities described in this order.

(h) *Revocability.* This order may be revoked, amended or corrected at any time. This order shall be effective November 27, 1944.

(56 Stat. 23,765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of November 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-18610; Filed, Dec. 8, 1944;
9:20 a. m.]

[Region VI Order G-1 Under MPR 364 and
MPR 418]

FRESH FISH AND SEAFOOD IN COOK COUNTY,
ILL.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by section 6 (f) of Maximum Price Regulation No. 364 and sections 9 (e) and 15 (d) of Maximum Price Regulation No. 418, it is ordered:

(a) *Maximum transportation allowance—(1) For fresh halibut shipped from the Pacific Coast.* On all sales by wholesalers of fresh halibut shipped from the Pacific Coast, the maximum amount which may be added as the transporta-

tion allowance under section 9 of Maximum Price Regulation No. 418 shall be \$4.10 per cwt. in lieu of the wholesaler's actual cost of transportation as provided by that section. A higher transportation allowance is prohibited although a lower allowance may be used.

(2) *For all other fresh fish.* On all sales made by wholesalers of fresh fish other than halibut shipped from the Pacific Coast, the maximum amount which may be added as cost of transportation shall be the actual cost of transportation as determined under section 9 of Maximum Price Regulation No. 418.

(b) *Statement to be placed on buyer's invoice pertaining to container and transportation costs on sales of frozen and fresh fish to retailers and purveyors of meals.* On all sales by wholesalers to retailers and to purveyors of meals of frozen and fresh fish, the provisions of section 6 (e) of Maximum Price Regulation No. 364 and of section 15 (c) of Maximum Price Regulation No. 418 requiring a seller to furnish the buyer with a statement showing, among other things, container and transportation costs are hereby modified. The seller, at his election, may place the following statement on the buyer's invoice on all sales of frozen and fresh fish:

Price charged includes container costs and transportation allowances. On request we will furnish you an itemized statement of such costs and allowances.

The wholesaler upon request of the purchaser shall furnish to the purchaser within 48 hours after receipt of such request an itemized statement showing the container costs and transportation allowances included in the invoice.

(c) *Applicability.* The provisions of this order shall apply to all wholesalers with respect to sales made from places of business located in Cook County, Illinois, pursuant to which physical delivery is made within Region VI, consisting of the States of Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin and Lake County, Indiana.

(d) *Definitions.* Unless the context of this order requires otherwise, the definitions set forth in Maximum Price Regulations Nos. 364 and 418 and the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) *Relation to Office of Price Administration regulations.* Except as modified by this order, the provisions of Maximum Price Regulations Nos. 364 and 418 shall remain in full force and effect.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall become effective December 11, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O., 9328, 8 F.R. 4681)

Issued this 5th day of December 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-18639; Filed, Dec. 8, 1944;
12:49 p. m.]

[Region VI Order G-11 Under RMPR 122,
Amdt. 6]

SOLID FUELS IN CHICAGO, ILL., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-11 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

(1) Paragraph (m) is added to read as follows:

(m) Every person selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of a sale or delivery of solid fuels governed by this order give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as this order is in effect or for so long as the Emergency Price Control Act of 1942, as amended, shall permit, whichever period is longer, showing the following information:

The name and address of the seller and the purchaser; the kind, size, and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discounts, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated: *And further provided*, That provisions of this paragraph (m) shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

This Amendment No. 6 to Order No. G-11 shall become effective November 27, 1944.

(56 Stat. 23, 675; 57 Stat. 566; Pub. Law 383, 78th Cong.—E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 20th day of November 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-18640; Filed, Dec. 8, 1944;
12:49 p. m.]

[Region VI Order G-14 Under RMPR 122,
Amdt. 9]

SOLIDS FUELS IN MILWAUKEE COUNTY, WIS.

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-14 as amended under Revised Maximum Price Regulation No. 122 is amended in the following respects:

(1) Paragraph (c), as amended by Amendment No. 8, is amended by striking the following statement: " * * * And further provided, That the treatment charge so made shall be stated separately from all other items on the dealer's invoice."

(2) Paragraph (c) is further amended by adding 5¢ to each price listed in the Price Schedule under column 2, "Domestic ½ Ton", and 10¢ to each price listed under the column "Domestic 1 Ton or More".

(3) Paragraph (c) (2) is amended to read as follows: "The maximum prices for all sales by dealers of solid fuels not provided for by the above schedule shall be the maximum prices applicable for such sales under Revised Maximum Price Regulation No. 122, as amended; *Provided*, That for all domestic sales made by dock dealers, unequipped dealers and equipped dealers by direct delivery to domestic users, there shall be added to the maximum prices applicable under Revised Maximum Price Regulation No. 122, as amended, the sum of 10¢ per ton. This increase of 10¢ per ton shall not apply to commercial sales or any other type of sales made by the dock dealer, the unequipped and equipped dealers other than those made by direct delivery to domestic users."

(4) Paragraph (l) to follow (k) is added to read as follows:

(1) Every person selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of a sale or delivery of solid fuels governed by this order give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as this order is in effect or for so long as the Emergency Price Control Act of 1942, as amended, shall permit, whichever period is longer, showing the following information:

The name and address of the seller and the purchaser; the kind, size, and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip, or receipt, the amount, if any, of the required discounts, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated; and further provided that provisions of this paragraph (1) shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

This Amendment No. 9 to Order No. G-14 shall become effective December 11, 1944.

(56 Stat. 23, 675; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of December 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-18642; Filed, Dec. 8, 1944; 12:50 p. m.]

[Region VI Order G-16 Under RMFR 122, Amdt. 2]

SOLID FUELS IN CHICAGO, ILL., AREA

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator of Region VI of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Order No. G-16 be amended by deleting therefrom the complete text of Appendix 5.

This Amendment No. 2 to Order No. G-16 shall become effective immediately.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of September 1944.

RAE E. WALTERS,
Regional Administrator.

[F.R. Doc. 44-18641; Filed, Dec. 8, 1944; 12:49 p. m.]

[Region VI Order G-16 Under RMFR 122, Amdt. 4]

SOLID FUELS IN CHICAGO, ILL., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

(1) Appendices No. 4 and No. 5 to Order No. G-16 under Revised Maximum Price Regulation No. 122 are hereby revoked.

(2) Paragraph (d) of Appendix No. 1 is amended by striking the last sentence in said paragraph (d), "The treatment charge so made shall be stated separately from all other items on the dealer's invoice."

This Amendment No. 4 to Order No. G-16 shall become effective December 7, 1944.

(56 Stat. 23, 675; 57 Stat. 566; Pub. Law 383, 78th Cong.—E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 2d day of December 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-18643; Filed, Dec. 8, 1944; 12:50 p. m.]

[Region II Order G-9 Under SR 15 and MPR 250, Amdt. 1]

MILK IN NEW YORK STATE

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 and § 1351.807 of Maximum Price Regulation No. 280, as amended, and pursuant to authorization received from the Price Administrator of the Office of Price Administration; *It is hereby ordered*, That:

Schedules II, III, V and VI of Appendix A of Order No. G-9 be amended to read as follows:

SCHEDULE II—AREA II

GRADE A PASTEURIZED

	At retail out-of-store and to-the-home	At wholesale to the store	To subdealers	To restaurants, hotels, and other eating establishments
Quart.....	Cents 14	Cents 12	Cents 12	Cents 12
Pint.....	8	6	6	6
Half-pint.....	5	4	4	4
One-third quart.....	3	3	3	3

In other than glass or paper containers (bulk) to stores, hotels, restaurants, and institutions

42-quart cans	Less than 42-quart cans
10 1/2¢ per qt.	11¢ per qt.

* For sale only in the villages of Hudson Falls and Ft. Edward, in Washington County.

SCHEDULE III—AREA III

GRADE A PASTEURIZED

	At retail out-of-store and to-the-home	At wholesale to the store	To subdealers	To restaurants, hotels, and other eating establishments
Quart.....	Cents 14	Cents 12	Cents 12	Cents 12
Pint.....	8	6	6	6
Half-pint.....	5	4	4	4
One-third quart.....	3	3	3	3

In other than glass or paper containers (bulk) to stores, hotels, restaurants, and institutions

42-quart cans	Less than 42-quart cans
10 1/2¢ per qt.	11¢ per qt.

* For sale only in the city of Watertown in Jefferson County, the city of Auburn in Cayuga County and the city and town of Oswego in Oswego County.

SCHEDULE V—AREA V

GRADE A PASTEURIZED

	At retail out-of-store and to-the-home	At wholesale to the store	To subdealer	To restaurants, hotels, and other eating establishments
Quart.....	Cents 13	Cents 12	Cents 12	Cents 12
Pint.....	8	6	6	6
Half-pint.....	5	4	4	4
One-third quart.....	3	3	3	3

In other than glass or paper containers (bulk) to stores, hotels, restaurants, and institutions

42-quart cans	Less than 42-quart cans
11 1/2¢ per qt.	12¢ per qt.

* For sale only in the Syracuse, Albany, Schenectady and Troy Marketing Areas.

SCHEDULE VI—AREA VI

GRADE A PASTEURIZED

	At retail out-of-store and to-the-home	At wholesale into-store	To subdealers	To restaurants, hotels, and other eating establishments
Quart.....	Cents 14½	Cents 12½	Cents 10½	Cents
Pint.....	8	7	6	5½
Half-pint ¹	6	4½	3½	
One-third quart ¹				

In other than glass or paper containers (bulk) to stores, hotels, restaurants, and institutions

40-quart cans	Less than 40-quart cans
11¢ per qt. ²	11½¢ per qt. ²

¹ For sale only in Glens Falls, Warren County; the city of Newburgh, Orange County, and the city of Kingston, Ulster County.

This Amendment No. 1 to Order No. G-9 shall become effective Saturday, December 9, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4861)

Issued this 4th day of December 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-18645; Filed, Dec. 8, 1944; 12:51 p. m.]

[Region IV Order G-1 Under MPR 251, Amdt. 1]

ROOFING IN SHELBY COUNTY, TENN.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by section 8 (c) of Revised Maximum Price Regulation No. 251, Order No. G-1 under Maximum Price Regulation No. 251, issued by the Atlanta Regional Office on April 24, 1944, is hereby amended by changing paragraph (f) to read as follows: "This order shall become effective April 24, 1944, and shall expire March 31, 1945."

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued October 27, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44-18646; Filed, Dec. 8, 1944; 12:52 p. m.]

[Region V Order G-1 under Gen. Order 50, Amdt. 5]

MALT BEVERAGES IN DESIGNATED SOUTHERN STATES

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, by Revised Gen-

eral Order 50, the Region V Order G-1 under General Order 50, Maximum Prices for Malt Beverages in Designated Southern States, is amended as follows:

1. Section 4 (d) (7) is amended to read as follows:

(7) An establishment which has been classified in Group 3B under section 4 (a) (4) (ii) may apply to the District Office for reclassification if it can establish that during the sixty day period prior to July 31, 1944, at least 70% by volume of its sales of bottled malt beverages were of brands listed in Table 2. If an establishment which has been classified in Group 3B under section 4 (a) (4) (ii) made no sales of bottled malt beverages during the sixty day period immediately prior to July 31, 1944, it may, nevertheless, apply to the District Office for reclassification if it can establish that during the last sixty day period prior to July 31, 1944, in which it did make sales of bottled malt beverages at least 70% by volume of its sales of bottled malt beverages were of brands listed in Table 2. The application shall be supported by a statement of the applicant showing the total number of bottles of malt beverages sold by the establishment during the applicable sixty day period aforesaid, and the number of bottles of each brand listed in Tables 1 and 2 which it sold during that applicable period. The District Director may require such additional evidences as he may deem necessary. The District Director in response to such application may, if he finds that over 70% by volume of such sales made by the establishment during the applicable sixty day period aforesaid were of brands listed in Table 2, reclassify such establishment into Group 2B.

2. The list of brands in Table I in section 20, Appendix A, is amended to read as follows:

LIST OF BRANDS

Ballantine's Beer.	Hamm's Preferred.
Barbarossa.	Hellman's O. S. Lager.
Bay State.	Heilman's O. S. Export.
Blackhawk Topping.	Kingsbury Pale.
Birk's Trophy.	Koenig's Brau.
Blatz Pilsener.	Lambic Beer.
Budweiser.	Lemp Black Label.
Burger Brau.	Metz Jubilee.
Canadian Ace.	Miller's High Life.
Chesterton Beer.	Muehlbach Pilsener.
Commander Special Pilsener.	Old Brew.
Coors.	Oltimer Beer.
Country Club.	Pabst Blue Ribbon.
Dorquest.	Peerless Amber.
Ehret's Extra.	Peter Hand's Extra Pale.
Embassy Club.	Pioneer Victory.
Four Crown Special.	Port Premo.
Fox Head Lager.	Ruby.
Fox Head—400.	Schlitz.
Gold Coast.	Silver Fox.
Goebels.	Trim.
Gold Medal Tivoli.	Ziegler's 520 Beer.
Grain Belt.	

3. The list of brands in Table II in section 20, Appendix A, is amended to read as follows:

LIST OF BRANDS

ABC.	Birk's.
Acme Beer.	Blue Bonnet.
Acme Ale.	Bohemia (Domestic).
Alpen Brau.	Burger Beer.
Berlin Lager.	Burgomeister.

LIST OF BRANDS—Continued

Capitol.	Lemp Red Label.
Champagne Velvet.	Lone Star.
Cook's Goldblume.	Manhattan.
Cream Top.	Medford Lager.
Crown Select.	Miller's Export.
Dick's Pilsener.	Monterroy (Domestic).
Dixie.	Old Gold.
Downs.	Old Imperial.
Eagle.	Old King.
Edelweiss.	Pearl.
Eulberg.	Pine Tree.
Falstaff.	Pioneer.
Fischback.	Polo Beer.
Flock Beer.	Pom-Roy.
Fortune.	Prager.
4 X.	Prima 3 Star.
Fox Deluxe.	Prima.
Gold Crest.	Prince of Pilsener.
Gold Label.	Progress.
Gold Medal.	Regal.
Gold Seal.	Schmidt City Club.
Grand Prize.	Schott's Highland.
Griesiddeck.	Shawano Club Beer.
Haas Extra Pale.	Shiner.
Hapsburg.	Silver Cream.
Harry Mitchell Lager.	Southern Select.
Harry Mitchell Premium.	Staats.
High Brau.	Stag.
Highland.	Standard Wirthbru.
Hyde Park.	Stern Brau.
Jax.	Storck.
Jefferson.	Topaz.
Jung's Pilsener.	Town Club.
Kato White Label.	Trophy.
Koller.	White Seal.
Lang.	

4. Table III in section 20, Appendix A, is amended to read as follows:

TABLE III—MAXIMUM PRICES PER BOTTLE FOR THE RESPECTIVE CONTAINER SIZES FOR THE RESPECTIVE BRANDS OF MALT BEVERAGES LISTED IN THIS TABLE III

Brand	Group 1B		Group 2B		Group 3B	
	12 oz.	7 oz.	12 oz.	7 oz.	12 oz.	7 oz.
Mexican Beer ¹	Cts. 30	Cts. 20	Cts. 25	Cts. 15	Cts. 25	Cts. 15
Van Merritt Beer.....	30	25	25	25	25	25
Van Wyck Beer.....	30	25	25	25	25	25
Acme Ale.....	30	25	25	25	25	25
Ballentine's Ale.....	30	25	25	25	25	25
Buckingham Ale.....	30	25	25	25	25	25
Burger Ale.....	30	25	25	25	25	25
Champ Ale.....	30	25	25	25	25	25
Chesterton Ale.....	30	25	25	25	25	25
Doran's Canadian Ale.....	30	25	25	25	25	25
Pabst Ale.....	30	25	25	25	25	25
Red Top Ale.....	30	25	25	25	25	25
Twenty Grand Ale.....	30	25	25	25	25	25

¹ "Mexican Beer" means all malt beverages produced in the Republic of Mexico. Prices for "Mexican Beer" shown in the 12 oz. column above include 12 oz. bottles and bottles of approximately 11 oz. Prices for "Mexican Beer" shown in the 7 oz. column above include bottles of approximately 7 oz. commonly known as "spills."

5. The brands of beer listed as being in Table I in section 21, Appendix B, is amended to read as follows:

BRANDS OF BEER LISTED IN TABLE I

Ballentine's Beer.	Country Club.
Barbarossa.	Dorquest.
Bay State.	Ehret's Extra.
Blackhawk Topping.	Embassy Club.
Birk's Trophy.	Four Crown Special.
Blatz Pilsener.	Fox Head Lager.
Budweiser.	Fox Head—400
Burger Brau.	Gold Coast.
Canadian Ace.	Goebels.
Chesterton Beer.	Gold Medal Tivoli.
Commander Special Pilsener.	Grain Belt.
Coors.	Hamm's Preferred.
	Hellman's O. S. Lager.

BRANDS OF BEER LISTED IN TABLE I—Continued.

Heilman's O. S. Export.	Pabst Blue Ribbon.
Kingsbury Pale.	Pearless Amber.
Koenig's Brau.	Peter Hand's Extra Pale.
Lambic Beer.	Pioneer Victory.
Lemp Black Label.	Port Premo.
Metz Jubilee.	Ruby.
Miller's High Life.	Schlitz.
Muehlbach Pilsener.	Silver Fox.
Old Brew.	Trim.
Oltimer Beer.	Ziegler's 520 Beer.

6. The brands of beer listed as being in Table II in section 21, Appendix B, is amended to read as follows:

BRANDS OF BEER LISTED IN TABLE II

ABC.	Jax.
Acme Beer.	Jefferson.
Acme Ale.	Jung's Pilsener.
Alpen Brau.	Kato White Label.
Berlin Lager.	Koller.
Birk's.	Lang.
Blue Bonnet.	Lemp Red Label.
Bohemia (Domestic).	Lone Star.
Burger Beer.	Manhattan.
Burgomeister.	Medford Lager.
Capitol.	Miller's Export.
Champagne Velvet.	Monterrey (Domestic).
Cook's Goldblume.	Old Gold.
Cream Top.	Old Imperial.
Crown Select.	Old King.
Dick's Pilsener.	Pearl.
Dixie.	Pine Tree.
Downs.	Pioneer.
Eagle.	Polo Beer.
Edelweiss.	Pom-Roy.
Eulberg.	Prager.
Faltstaff.	Prima 3 Star.
Fischback.	Prima.
Flock Beer.	Prince of Pilsener.
Fortune.	Progress.
4 X.	Regal.
Fox Deluxe.	Schmidt City Club.
Gold Crest.	Schott's Highland.
Gold Label.	Schawano Club Beer.
Gold Medal.	Shiner.
Gold Seal.	Silver Cream.
Grand Prize.	Southern Select.
Griesdieck.	Staats.
Haas Extra Pale.	Stag.
Hapsburg.	Standard Wirthbru.
Harry Mitchell Lager.	Stern Brau.
Harry Mitchell Premium.	Storck.
High Brau.	Topaz.
Highland.	Town Club.
Hyde Park.	Trophy.
	White Seal.

This amendment shall become effective October 27, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order 50, 8 F.R. 4808)

Issued at Dallas, Texas, this the 25th day of October 1944.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 44-18644; Filed, Dec. 8, 1944; 12:51 p. m.]

[Portland Order G-13 Under 18 (c)]

FIREWOOD IN LANE COUNTY, OREG.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation, it is hereby ordered:

(a) This Order No. G-13, insofar as it establishes maximum prices for certain types of firewood, supersedes the maximum prices as established by sections 2 and 3 of the General Maximum Price Regulation, or by any previous order issued pursuant to such regulation, or to any supplementary regulation thereto. The maximum prices for mills or dealers making sales or deliveries of certain types of firewood to dealers or to any other sellers of firewood in the Cannon Beach-Seaside-Astoria area and sold f. o. b. railroad cars in the eastern section of Lane County, Oregon, are hereby modified as follows:

(1) For the specified mills or dealers, the maximum price shall be \$3.00 per cord of 4' or 12" green slabwood f. o. b. railroad car.

(2) For the specified mills or dealers, the maximum price shall be \$5.25 per cord of 4' dry slabwood f. o. b. railroad car.

(3) For the specified mills or dealers, the maximum price shall be \$6.25 per cord of 16" dry slabwood f. o. b. railroad car.

(b) *Geographical applicability.* This order shall apply only to the specified types of firewood sold f. o. b. railroad cars by mills or dealers, in the eastern section of Lane County for delivery to sellers of firewood in the Cannon Beach-Seaside-Astoria area.

(c) *Definitions.* (1) "Eastern section of Lane County, Oregon" as herein used means that part of Lane County, Oregon, lying east of a line running parallel to and 15 miles west of U. S. Highway 99 or 99W.

(2) The "Cannon Beach-Seaside-Astoria" area as herein used means that part of Clatsop County, Oregon, as far inland as six miles from the Pacific Ocean on the West and from the Columbia River on the North and extending from Tolavana Park south and east to a point three miles East of Astoria. This area includes such cities as Cannon Beach, Seaside, Gearhart, Camp Clatsop, Warrenton, Ft. Stevens and Astoria.

(d) No mills or dealers affected by this Order No. G-13 shall evade any of the provisions thereof by changing the customary allowances, discounts, or other price differentials unless such change results in a lower price.

(e) Invoices and records. Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold, in the same manner as it is described in this order. This shall include the kind of wood, i. e. soft, hard or mixed, and length of pieces of wood.

(5) Place of sale. If the price is dependent on place of delivery, then the place of delivery shall be stated.

(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered and the charge made for each such service. The seller shall keep an exact copy of such invoice or memorandum for a period of two years and such copy shall be made available for inspection by the Office of Price Administration.

NOTE: The record keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) This order may be revoked, amended, or corrected at any time.

This order shall become effective November 14, 1944 and shall expire February 15, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong. 203250; 7 F.R. 7871, 203328, 8 F.R. 4681)

Issued this 14th day of November 1944.

McDANIELL BROWN,
District Director.

[F. R. Doc. 44-18614; Filed, Dec. 8, 1944; 9:16 a. m.]

[Portland Order G-14 Under 18 (c)]

SLABWOOD IN ASTORIA AND SEASIDE, OREG., AREAS

On July 5, 1944, for the reasons set forth in the opinion issued simultaneously therewith and under the authority vested in the District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and by Revised General Order No. 32, Order No. G-6 under § 1499.18 (c), as amended of the General Maximum Price Regulation was issued establishing certain prices for slabwood shipped by rail to Astoria and Seaside from the Strandberg Wood Company in Marshland, Oregon, for delivery to the premises of the buyer in the Astoria and Seaside, Oregon areas.

For the reasons set forth in the opinion issued simultaneously herewith, and under the authority vested in the District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and by Revised General Order No. 32, Order No. G-6 under § 1499.18 (c) as amended of The General Maximum Price Regulation is hereby revoked.

This order shall become effective November 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, and R.G.O. 32, 8 F.R. 1769)

Issued this 15th day of November 1944.

McDANIELL BROWN,
District Director.

[F. R. Doc. 44-18615; Filed, Dec. 8, 1944; 9:16 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register December 8, 1944.

REGION I

Connecticut Order 2-W, covering community food prices in the State of Connecticut, filed 10:39 a. m.

REGION II

District of Columbia Order 2-F, Amendment 11, covering fresh fruits and vegetables in certain areas in Maryland and Virginia, filed 10:58 a. m.

District of Columbia Order 3-P, Amendment 1, covering fresh fish in certain areas in Virginia and Maryland, filed 10:57 a. m.

Newark Order 5-F, Amendment 8, covering fresh fruits and vegetables in certain areas in the state of New Jersey, filed 10:52 a. m.

New York Order 3-C, Amendment 1, covering poultry in the Newark and New York districts, filed 10:52 a. m.

New York Order 4-C, Amendment 1, covering poultry in the Newark and New York districts, filed 10:53 a. m.

New York Order 1-F, Amendment 36, covering fresh fruits and vegetables in the five boroughs in the city of New York, filed 10:54 a. m.

Pittsburgh Order 1-C, under A-1, covering poultry in certain counties in the State of Pennsylvania, filed 10:37 a. m.

Scranton Order 14, Amendment 1, covering dry groceries in certain counties in the State of Pennsylvania, filed 10:34 a. m.

Wilmington Order 15, Amendment 3, covering dry groceries in certain areas in the State of Delaware, filed 10:43 a. m.

Wilmington Order 17, covering dry groceries in certain areas in the State of Delaware, filed 10:37 a. m.

Wilmington Order 18, covering dry groceries in certain areas in the State of Delaware, filed 10:36 a. m.

REGION III

Escanaba Order 18-3-B, Amendment 3, covering fresh fruits and vegetables in certain counties in Wisconsin and Michigan, filed 10:35 a. m.

Escanaba Order 19-3-B, Amendment 5, covering fresh fruits and vegetables in certain areas in Michigan and Wisconsin, filed 10:35 a. m.

REGION IV

Atlanta Order 4-F, Amendment 12, covering fresh fruits and vegetables in certain counties in the Atlanta area, filed 10:46 a. m.

Columbia Order 4-F, Amendment 13, covering fresh fruits and vegetables in certain areas in South Carolina, filed 10:45 a. m.

Jackson Order 4-F, Amendment 8, covering fresh fruits and vegetables in certain counties in the State of Mississippi, filed 10:35 a. m.

Memphis Order 6-F, Amendment 8, covering fresh fruits and vegetables in certain areas in the State of Tennessee, filed 10:52 a. m.

REGION V

Dallas Order 1-F, Amendment 43, covering fresh fruits and vegetables in Dallas, Tex., filed 10:41 a. m.

Dallas Order 2-F, Amendment 15, covering fresh fruits and vegetables in Dallas, Tex., filed 10:40 a. m.

Fort Worth Order 3-W, Amendment 4, covering certain food items in Fort Worth, Tex., filed 10:50 a. m.

Fort Worth Order 17, covering certain dry groceries in Fort Worth, Tex., filed 10:48 a. m.

Kansas City Order 4-W, covering community food pricing in certain counties in Missouri, filed 10:51 a. m.

San Antonio Order 3-W, Amendment 2, covering community food pricing in San Antonio, Tex., filed 10:51 a. m.

San Antonio Order G-13, Amendment 3, covering community ceiling prices in certain designated counties in Texas, filed 10:51 a. m.

San Antonio Order G-14, Amendment 3, covering community ceiling prices in certain designated counties in Texas, filed 10:51 a. m.

Shreveport Order G-16, covering dry groceries in Shreveport, La., filed 10:40 a. m.

REGION VI

Duluth-Superior Order 1-F, Amendment 46, covering fresh fruits and vegetables in certain areas in Minnesota, filed 10:50 a. m.

Duluth-Superior Order 2-F, Amendment 11, covering fresh fruits and vegetables in Wisconsin and Minnesota, filed 10:50 a. m.

La Crosse Order 3-F, Amendment 41, covering fresh fruits and vegetables in certain cities in Wisconsin, filed 10:47 a. m.

La Crosse Order 5-F, Amendment 40, covering fresh fruits and vegetables in Rochester, Minn., filed 10:47 a. m.

Peoria Order 2-F, Amendment 30, covering fresh fruits and vegetables in certain cities in the State of Illinois, filed 10:54 a. m.

Peoria Order 3, Amendment 13, covering certain food items in Peoria, Ill., filed 10:46 a. m.

Peoria Order 3-F, Amendment 30, covering fresh fruits and vegetables in certain cities in the State of Illinois, filed 10:54 a. m.

Peoria Order 4-F, Amendment 25, covering fresh fruits and vegetables in certain cities in the State of Illinois, filed 10:55 a. m.

Peoria Order 5-F, Amendment 13, covering fresh fruits and vegetables in Knox County in the state of Illinois, filed 10:55 a. m.

Springfield Order 1-FS, Amendment 17, covering fresh fruits and vegetables in certain areas in the state of Illinois, filed 10:56 a. m.

Sioux City Order 2-F, Amendment 46, covering fresh fruits and vegetables in certain areas in Iowa and Nebraska, filed 10:56 a. m.

Sioux Falls Order 4-W, covering certain dry groceries in the states of South Dakota and Minnesota, filed 10:39 a. m.

Twin Cities Order G-8, Amendment 2, covering community ceiling prices in Twin Cities, filed 10:39 a. m.

REGION VII

Wyoming Order 1-F, Amendment 14, covering fresh fruits and vegetables in the Cheyenne area, filed 10:42 a. m.

Wyoming Order 2-F, Amendment 12, covering fresh fruits and vegetables in the Laramie area, filed 10:42 a. m.

Wyoming Order 3-F, Amendment 11, covering fresh fruits and vegetables in the Casper area, filed 10:42 a. m.

Wyoming Order 4-F, Amendment 11, covering fresh fruits and vegetables in the Sheridan area, filed 10:42 a. m.

Wyoming Order 5-F, Amendment 10, covering fresh fruits and vegetables in the Rock Springs area, filed 10:42 a. m.

REGION VIII

Sacramento Order 10-F, Amendment 1, covering fresh fruits and vegetables in Sacramento, Calif., filed 10:50 a. m.

Sacramento Order 10-F under 3-B, covering community food prices in the designated areas in the state of California, filed 10:53 a. m.

Sacramento Order 9-F, under 3-B, covering Community food prices in the Sacramento-Stockton area, filed 10:53 a. m.

Sacramento Order 11-F under 3-B, covering community food prices in the Sacramento-Stockton area, filed 10:53 a. m.

Sacramento Order 12-F, under 3-B, covering community food prices in certain areas in California, filed 10:53 a. m.

Sacramento Order 13-F, under 3-B, covering community food prices in certain areas in California, filed 10:53 a. m.

San Francisco Order G-14, Amendment 5, covering poultry in certain areas in California, filed 10:43 a. m.

Spokane Order 1-F, Amendment 37, covering fresh fruits and vegetables in Spokane County, Wash., filed 10:41 a. m.

Spokane Order 2-F, Amendment 34, covering fresh fruits and vegetables in Kootenai County, Idaho, filed 10:44 a. m.

Spokane Order 3-F, Amendment 12, covering fresh fruits and vegetables in Shoshone and Kootenai Counties, Idaho, filed 10:44 a. m.

Spokane Order 4-F, Amendment 10, covering fresh fruits and vegetables in certain counties in Washington and Idaho, filed 10:44 a. m.

Spokane Order 3-F, Amendment 17, covering fresh fruits and vegetables in certain counties in Washington and Idaho, filed 10:44 a. m.

Spokane Order 6-F, Amendment 18, covering fresh fruits and vegetables in certain counties in the State of Washington, filed 10:43 a. m.

Spokane Order 7-F, Amendment 11, covering fresh fruits and vegetables in Benton and Franklin Counties, Wash., filed 10:43 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-18749; Filed, Dec. 11, 1944; 11:57 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register December 9, 1944.

REGION V

Lubbock Order 3-F, Amendment 31, covering fresh fruits and vegetables in Lubbock, Tex., filed 10:42 a. m.

REGION VI

Des Moines Order 2-F, Amendment 15, covering fresh fruits and vegetables in Des Moines, Iowa, filed 10:42 a. m.

REGION VIII

Seattle Order 6-F, Amendment 6, covering fresh fruits and vegetables in Seattle and Bremerton, Wash., filed 10:40 a. m.

Seattle Order 7-F, Amendment 6, covering fresh fruits and vegetables in Tacoma, Wash., filed 10:40 a. m.

Seattle Order 8-F, Amendment 5, covering fresh fruits and vegetables in Everett, Wash., filed 10:40 a. m.

Seattle Order 9-F, Amendment 6, covering fresh fruits and vegetables in Seattle and Bremerton, Wash., filed 10:40 a. m.

Seattle Order 10-F, Amendment 5, covering fresh fruits and vegetables in Bellingham, Wash., filed 10:41 a. m.

Seattle Order 11-F, Amendment 5, covering fresh fruits and vegetables in Olympia, Wash., filed 10:41 a. m.

Seattle Order 12-F, Amendment 5, covering fresh fruits and vegetables in Aberdeen-Hoquiam, Wash., filed 10:41 a. m.

Seattle Order 13-F, Amendment 5, covering fresh fruits and vegetables in Centralia-Chehalis, Wash., filed 10:41 a. m.

Seattle Order 14-F, Amendment 5, covering fresh fruits and vegetables in Wonatchee, Wash., filed 10:42 a. m.

Seattle Order 15-F, Amendment 5, covering fresh fruits and vegetables in Yakima, Wash., filed 10:42 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-18750; Filed, Dec. 11, 1944; 11:57 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-933]

BIRMINGHAM ELECTRIC CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of December A. D. 1944.

The Commission having heretofore on September 19, 1944 issued its order herein granting an application of Birmingham Electric Company, a subsidiary of National Power & Light Company, a registered holding company, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 with respect to the issue and sale, at competitive bidding pursuant to Rule U-50, of \$10,000,000 principal amount of First Mortgage Bonds, 1974 Series, dated August 1, 1944 and maturing August 1, 1974, reserving, however, its jurisdiction with respect to the legal fees and expenses to be paid in connection with the said application; and

The record having been completed with respect to such legal fees and expenses, the Commission having examined such record and deeming it unnecessary to make any adverse findings in respect of the payment of such fees and expenses;

It is ordered, That the jurisdiction heretofore reserved with respect to such legal fees and expenses to be paid in connection with the said application be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-18648; Filed, Dec. 8, 1944;
2:49 p. m.]

[File No. 70-544]

INTERNATIONAL UTILITIES CORP., AND GENERAL WATER GAS & ELECTRIC CO.

ORDER ELIMINATING CONDITION OF PAYMENTS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 6th day of December, A. D. 1944.

The Commission having heretofore entered an order in this proceeding, dated July 1, 1942, which permitted declarations to become effective and approved applications regarding the issuance and sale by General Water Gas & Electric Company of promissory notes in the principal amount of \$2,100,000 payable in installments over a period of five years from the date thereof and the extension of the maturity date and subordination of a promissory note of General Water Gas & Electric Company in the principal amount of \$385,700 held by International Utilities Corporation; and

Such order of the Commission having provided, among other things, " " " "

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that no dividend, nor other distribution, by purchase of shares of stock, or otherwise, shall be paid, or made upon the common stock of General Water Gas & Electric Company, pending the further order, or orders, of this Commission"; and

General Water Gas & Electric Company, a registered holding company and a subsidiary of International Utilities Corporation, also a registered holding company, having filed an amendment to said joint declarations and applications stating that on October 31, 1944 all of said indebtedness was fully paid and discharged and requesting that the Commission issue an order eliminating the above set forth condition; and

Said amendment having been filed on November 17, 1944 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act and the Commission not having received a request for a hearing with respect to said amendment within the period prescribed in said notice, or otherwise, and not having ordered a hearing thereon; and

It appearing to the Commission that the circumstances necessitating the imposition of the above described condition no longer prevail and that the said condition to the Commission's order dated July 1, 1942 should no longer be in effect;

It is hereby ordered, That the said order of the Commission dated July 1, 1942, the pertinent portion of which is above set forth, be, and the same hereby is, modified by the elimination therefrom of said condition relating to the payment of dividends or making of distributions to the common stock of General Water & Gas Electric Company.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-18651; Filed, Dec. 8, 1944;
2:49 p. m.]

[File No. 59-15]

NORTHERN NEW ENGLAND CO., AND NEW ENGLAND PUBLIC SERVICE CO.

NOTICE OF FILING OF AMENDED PLAN OF REORGANIZATION AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of December 1944.

I. The Commission having heretofore instituted a proceeding by its notice of and order for hearing dated September 11, 1940 with respect to Northern New England Company ("Northern"), a registered holding company, and its subsidiary company, New England Public Service Company ("NEPSCO"), also a registered holding company, under section 11 (b) (2) of the Public Utility Holding Company Act of 1935, involving, among other things, certain issues with respect to the simplification of their corporate

structure, the equitableness of the distribution of voting power among their security holders and the necessity for their continued existence (Holding Company Act Release No. 2291); and

The Commission, by its order of May 2, 1941, pursuant to section 11 (b) (2) of the act, having ordered NEPSCO to change its capitalization to one class of stock, namely, common stock, or in the alternative, at its election, to liquidate its affairs and distribute its assets to its security holders (Holding Company Act Release No. 2737); and

The Commission having further by said order reserved jurisdiction to entertain such further proceedings, to make such other findings, and to enter such other orders as may be appropriate in connection with any plan for recapitalization or liquidation of NEPSCO, in connection with the various steps incidental thereto, and in connection with the other matters raised by the original notice of and order for hearing herein; and

NEPSCO having on December 6, 1941 filed with the Commission a plan, the important provisions of which are set out in Holding Company Act Release No. 3179 of December 10, 1941 to which reference is made, for the purpose of complying with the provisions of section 11 of the Public Utility Holding Company Act of 1935 and with the aforesaid order of the Commission dated May 2, 1941; and

The Commission having on December 18, 1942 granted NEPSCO an extension of time for one year within which to comply with the Commission's order under section 11 (b) (2) (Holding Company Act Release No. 3987); and

The Commission having issued its findings, opinion and orders and supplemental orders on November 4, 1942, December 2, 1942, March 19 and 27, 1943, November 25, 1943 and December 6 and 21, 1943 (Holding Company Act Releases Nos. 3883, 3952, 4201, 4203, 4711, 4741 and 4776 respectively) approving a series of transactions constituting steps of the original plan and providing, among other things, for the reduction of the five utility subsidiaries of NEPSCO into three by a series of mergers and intrasystem sales and the refinancing of the three enlarged utility subsidiaries;

Notice is hereby given that NEPSCO has now filed an amended Plan of Reorganization in substitution for the plan originally filed by it under date of December 6, 1941, for the purpose of complying with the provisions of section 11 of the act, and with the aforesaid order of the Commission dated May 2, 1941. All interested persons are referred to said amended plan, which is on file in the office of this Commission, for a statement of transactions therein proposed, which may be summarized as follows:

NEPSCO, the major subholding company in the system, was organized in the State of Maine in 1925. Since then it has been engaged principally in the business of holding securities of various utility and industrial companies controlled by it. The following corporate chart indicates the principal companies in the NEPSCO system:

Company	Kind of business
Northern New England Co.	Holding company.
New England Public Service Co.	Holding company.
Central Maine Power Co.	Electric and gas utility.
Central Vermont Public Service Corporation	Electric and gas utility.
Public Service Company of New Hampshire	Electric and gas utility.
New England Industries, Inc.	Industrial holding company.
Androscoggin Mills	Manufacture of rayon fabrics.
Bates Manufacturing Co.	Manufacture of cotton and rayon fabrics.
The Edwards Manufacturing Co.	Manufacture of cotton fabrics.
Hill Manufacturing Co.	Manufacture of cotton fabrics.
York Manufacturing Co.	Manufacture of cotton fabrics.
Keyes Fibre Co. ¹	Manufacture of molded pulpwood products.
Maine Seaboard Paper Co.	Manufacture of newsprint.

¹ The NEPSCO system's holdings in the stock of Keyes Fibre Co. as at June 30, 1944 were as follows:

	Prior preferred (sole voting) shares	Preferred shares	Common shares
NEPSCO	400 (16.347%)	1,250 (0.4%)	25,000 (16.78%)
Industries	1,000 (40.866%)	8,209 (61.75%)	4,958½ (3.33%)

The par, stated or minimum liquidating value (exclusive of dividend arrearages) of the outstanding securities of Northern and NEPSCO, and the amounts held within the system as at June 30, 1944 are shown below:

Held by—	Total	Public	Northern system	
			Amount	Percent
Northern: Shares of beneficial interest, no par (227,084 shares).....	\$908,336	\$904,336	\$4,000	0.44
NEPSCO:				
Preferred stocks, at minimum liquidating value:				
Prior lien preferred stock, cumulative, no par:				
\$7 dividend series (118,747 shares).....	11,874,700	11,672,200	202,500	1.71
\$6 dividend series (60,000 shares).....	6,000,000	6,000,000		
Preferred stock, cumulative, no par:				
\$7 dividend series (48,121 shares).....	4,812,100	4,812,100		
\$6 dividend series (107,279 shares).....	10,727,900	10,726,900	1,000	.01
Adjustment (\$7) series (297 shares).....	29,700	29,700		
\$6 convertible preferred stock, cumulative, no par (2,415 shares).....	241,500	241,500		
Total preferred stocks.....	33,635,900	33,482,400	203,500	.60
Common stock, \$5 par value (961,861-3/80 shares).....	4,806,805	3,245,840	1,560,965	32.47

Dividends on the preferred stocks of NEPSCO are in arrears since the dates shown below and have accrued to June 30, 1944 as to the several issues in the following amounts:

	Paid through	Accrued arrearages	
		Amount	Per share
Prior lien preferred stock:			
\$7 dividend series.....	Sept. 15, 1934 ¹	\$8,191,069	\$68.98
\$6 dividend series.....	Sept. 15, 1934 ¹	3,547,500	59.13
Preferred stock:			
\$7 dividend series.....	Apr. 15, 1932.....	4,112,343	85.46
\$6 dividend series.....	Apr. 15, 1932.....	7,858,187	73.25
Adjustment (\$7) series.....	Apr. 15, 1932.....	23,351	85.46
\$6 convertible preferred stock:			
(When converted into preferred stock—\$6 dividend series).....	Apr. 15, 1932.....	176,899	73.25
Total arrearages to June 30, 1944.....		23,011,379	

¹ Dividends applicable to the quarterly dividend period ended September 15, 1934 have been paid at three-quarters of the regular rates.

Briefly, the amended plan provides for the distribution by NEPSCO to its stockholders of its entire portfolio of the stocks of the utility subsidiaries and of the proposed new common stock of its industrial subsidiary, New England Industries, Inc. ("Industries") which is to be recapitalized, and for the merger of NEPSCO into Industries. The amended plan also provides that prior to such distribution the five textile subsidiaries of Industries be recapitalized, as described below.

In addition it is stated that nothing in the amended plan shall prevent the simplification of the capital structure of

Keyes Fibre Company ("Keyes"), and that Central Maine Power Company ("Central Maine") and possibly Public Service Company of New Hampshire ("New Hampshire") may refinance their present issues of preferred stocks before the plan becomes effective. It is further stated that to accomplish the possible refinancing of the aforementioned preferred stocks, NEPSCO or Industries, or both, may find it desirable to subscribe for additional shares of common stock of Central Maine or New Hampshire, or both, from funds obtained either through the disposal of NEPSCO's minority interest in Central Vermont Public Service

Corporation or from funds obtained from the industrial assets through the creation of debt thereon or otherwise, or from both.

NEPSCO requests that the Commission approve such amended plan as fair and equitable and that it require said amended plan to be enforced and its terms and provisions to be carried out.

To carry out this amended plan, the following steps are proposed.

(a) The adjustment of the capital structure and plant accounts of the textile mills as at July 15, 1944 as follows:

(1) Androscoggin Mills ("Androscoggin") had outstanding as at July 15, 1944 the following securities: (i) Indebtedness to Industries in the form of Demand Notes and Advances in the principal amount of \$205,083 plus accrued interest aggregating \$444,481, resulting from gross advances of \$1,487,000 less total repayments of \$1,281,917 and cash payments of interest of \$190,331 during the years 1930 through 1942; (ii) 19,147 shares of common stock (exclusive of 853 shares held in treasury), of which total Industries owned 17,424 shares, constituting 91% of the voting control.

Under the amended plan the debt of Androscoggin to Industries of \$649,564 will be reduced \$161,436 by restating the interest accrual on a simple 6% basis. After a small cash payment, the remaining \$485,000 of such debt will be converted into 10-year 5% Debentures with a contingent sinking fund provision based on net earnings. The carrying value of its Fixed Assets will be increased by \$749,754 and the Reserve for Depreciation by \$1,044,104, resulting in a write-down of \$294,350 in the net Fixed Assets to restate them at depreciated cost. The carrying value of the stock investments of Androscoggin in the Franklin Company and The Union Water Power Company will be increased \$4,468 and \$175,365, respectively, by restating the former at current market value and the latter at underlying book value. The Reserve for Contingencies will be increased by \$79,000, which approximates 1% of the company's net sales for the fiscal year 1943.

(2) Bates Manufacturing Company ("Bates") had outstanding as at July 15, 1944 the following securities: (i) Indebtedness to Industries in the form of Demand Notes and Advances in the principal amount of \$844,311 plus accrued interest aggregating \$1,242,343 resulting from gross advances of \$1,505,311 less total repayments of \$661,000 and cash payments of interest of \$3,401 during the years 1931 through 1942; (ii) 27,000 shares of common stock, of which total Industries owned 18,714 shares, constituting 69.31% of the voting control.

Under the amended plan the debt of Bates to Industries of \$2,086,654 will be reduced \$364,088 by restating the interest accrual on a simple 6% basis. The presently outstanding 27,000 shares of \$100 par value stock will be changed to 108,000 shares without par value. Each share of common stock will be exchanged for a share of new common stock, and the minority stockholders (holding 8,286 shares) will receive warrants entitling them to subscribe, at \$20 per share, to three additional shares of new stock for each share presently held. After a cash

payment of \$102,566 on the adjusted debt to Industries, all cash received from minority stockholders in the exercise of their warrants (a maximum of \$497,160) will be applied to reduce the remaining \$1,620,000 of Bates' debt to Industries. The unpaid balance of such debt will then be exchanged for the new stock at the rate of \$20 for each new share. The carrying value of its Fixed Assets will be increased by \$198,263 and the Reserve for Depreciation by \$1,273,247, resulting in a write-down of \$1,074,984 in the net Fixed Assets to restate them at depreciated cost. The carrying value of the stock investments of Bates in the Franklin Company and The Union Water Power Company will be increased \$4,468 and \$175,365, respectively, by restating the former at current market value and the latter at underlying book value. The Reserve for Contingencies will be increased by \$83,000, which approximates 1% of the company's net sales for the fiscal year 1943.

(3) The Edwards Manufacturing Company ("Edwards") had outstanding as at July 15, 1944 10,701 shares of common stock (exclusive of 299 shares held in treasury), of which total Industries owned 8,583 shares, constituting 80.21% of the voting control. Edwards is currently not indebted to Industries but during the years 1931 through 1940 Edwards borrowed from Industries and repaid a total of \$341,617 and paid interest in cash in the amount of \$36,715.

Under the amended plan the carrying value to Edwards of its Fixed Assets will be increased by \$1,208,908 and the Reserve for Depreciation by \$1,355,714, resulting in a write-down of \$146,806 in the net Fixed Assets to restate them at depreciated cost. The Reserve for Contingencies will be increased by \$68,000, which approximates 1% of the company's net sales for the fiscal year 1943.

(4) Hill Manufacturing Company ("Hill") had outstanding as at July 15, 1944 the following securities: (i) \$119,500 of First Mortgage 6% Bonds, due May 1, 1945, all publicly held; (ii) indebtedness to Industries in the form of Demand Notes and Advances in the principal amount of \$1,051,498 plus accrued interest aggregating \$2,188,414, resulting from gross advances of \$1,875,498 less total repayments of \$824,000 and cash payments of interest of \$100,189 during the years 1930 through 1943; (iii) 20,000 shares of common stock, of which total Industries owned 13,426 shares, constituting 67.13% of the voting control.

Under the amended plan the debt of Hill to Industries of \$3,239,912 will be reduced \$879,164 by restating the interest accrual on a simple 6% basis and by eliminating the inter-company profit on the Hill bonds acquired by Industries at a cost of \$536,550 and sold to Hill for \$611,000 of Demand Notes. After a cash payment of \$114,748, the balance of the debt will be converted into 224,600 shares of no par common stock. The \$119,500 of outstanding First Mortgage Bonds due May 1, 1945 will be retired. The company will be changed from a Massachusetts to a Maine corporation. The car-

rying value of the Fixed Assets will be reduced by \$265,676 and the Reserve for Depreciation increased by \$242,502, resulting in a write-down of \$508,178 in the net Fixed Assets to restate them at depreciated cost. The carrying value of the stock investment of Hill in The Union Water Power Company will be increased by \$33,413 by restating it at underlying book value. The Reserve for Contingencies will be increased by \$74,000, which approximates 1% of the company's net sales for the fiscal year 1943.

(5) York Manufacturing Company ("York") had outstanding as at July 15, 1944 the following securities: (i) Indebtedness to Industries in the form of Demand Notes and Advances in the principal amount of \$840,991 plus accrued interest aggregating \$1,942,392 resulting from gross advances of \$1,892,991 less total repayments of \$1,052,000 and cash payments of interest of \$36,546 during the years 1930 through 1943; (ii) 36,000 shares of common stock, of which total Industries owned 34,343 shares, constituting 95.39% of the voting control.

Under the amended plan the debt of York to Industries of \$2,783,383 will be reduced \$710,044 by restating the interest accrual on a simple 6% basis. After a cash payment of \$11,769, the balance of the debt will be converted into 206,157 shares of no par common stock. The presently outstanding 36,000 shares of \$25 par value stock will be changed to no par stock. The carrying value of its Fixed Assets will be increased by \$240,004 and the Reserve for Depreciation by \$1,341,666, resulting in a write-down of \$1,101,662 in the net Fixed Assets to restate them at depreciated cost. The resulting \$123,107 of capital surplus will be transferred to the new capital stock account. The Reserve for Contingencies will be increased by \$49,000, which approximates 1% of the company's net sales for the fiscal year 1943.

The following tabulation shows the percentages of ownership of the five textile mills by Industries before and after the above proposed transactions:

	Before	After
	Percent	Percent
Androscegin.....	91.69	91.69
Bates.....	69.31	103.31-92.33
Edwards.....	80.21	80.21
Hill.....	67.13	67.31
York.....	95.39	95.32

¹ The final percentage within this range will depend upon the number of warrants exercised by the minority stockholders.

(b) The adjustment of the capital structure of Industries as at June 30, 1944, at which date Industries had outstanding the following securities:

(1) \$2,804,000 face amount of unsecured Demand 6% Notes, all of which were held by NEPSCO, on which unpaid and accrued interest aggregated \$4,054,292.

(2) 108,320 shares of 7% non-cumulative preferred stock having a par value of \$100 per share, all of which were held by NEPSCO. This stock is callable at par and has first preference as to assets and non-cumulative dividends, but has no right to vote in the election of directors. No dividends have been paid since the organization of the company in December 1929.

(3) 32,231 shares (exclusive of 921 shares held in treasury) of \$0.80 non-cumulative participating preferred stock, series B, of no par value, but with a stated value of \$15 per share, of which 16 shares were held by NEPSCO and 32,265 shares were held by the public. The voluntary and involuntary liquidating values of this stock are \$40 and \$15 per share, respectively. The stock has no right to vote in the election of directors. No dividends have been paid since the organization of the company in December 1929.

(4) 232,560 $\frac{1}{2}$ shares (exclusive of 63 $\frac{1}{2}$ shares held in treasury) of common stock, of no par value, but with a stated value of \$10 per share, of which 226,102 $\frac{1}{2}$ shares were held by NEPSCO and 6,458 shares were held by the public. This stock has one vote per share in the election of directors. No dividends have been paid since the organization of the company in December 1929.

Under the amended plan the following adjustments are proposed:

(1) A reduction of \$256,581 in the \$6,858,292 of debt to NEPSCO by restating the interest accrual on a simple 6% basis.

(2) The acquisition from NEPSCO of certain miscellaneous assets, with an adjusted book value of \$319,092, consisting principally of NEPSCO's investment in Keyes, Salmon Falls Water Company and Bucksport Water Company and certain properties and water rights in New Hampshire.

(3) Recapitalization with only one class of stock bearing a \$20 par value, which will be exchanged for Industries' present debt and stock on the following basis:

Basis of exchange	Number of shares of new common stock		
	Total	NEPSCO	Minority
For \$319,092 of miscellaneous assets acquired from NEPSCO—\$12 in cash and 1 share for each \$20 of purchase price.....	15,954	15,954	
For adjusted indebtedness of \$9,691,711 to NEPSCO—\$11 in cash and 1 share for each \$20 of debt.....	329,635	329,635	
For each one of 108,320 shares of 7% preferred stock—5 shares.....	541,600	541,600	
For each one of 32,231 shares of participating preferred series B— $\frac{1}{2}$ share.....	16,115 $\frac{1}{2}$	8	16,123 $\frac{1}{2}$
For each one of 232,560 $\frac{1}{2}$ shares of common— $\frac{1}{2}$ share.....	116,280 $\frac{1}{2}$	10,622 $\frac{1}{2}$	1,644 $\frac{1}{2}$
Total.....	1,019,585 $\frac{1}{2}$	944,172 $\frac{1}{2}$	17,747

As a result of the foregoing transactions, NEPSCO will receive 98.155% of Industries' new common stock.

The amended plan states that if it shall prove practicable to save a substantial amount of taxes pending the consummation of the plan by filing a consolidated return covering only certain affiliated corporations in the industrial group, NEPSCO will forthwith sell a sufficient number of the shares thus received by it to reduce its holdings to slightly less than 95% of the new common stock of Industries.

(c) Distribution of NEPSCO's portfolio then consisting of the common stocks of the utilities and of the new common stock of Industries to NEPSCO's security holders on the following basis:

(1) Prior lien preferred stockholders to receive 60% of the portfolio, with each share of the \$7 series receiving $\frac{1}{10}$ more than each share of the \$6 series.

(2) Preferred stockholders to receive 32.5% of the portfolio, with each share of the \$7 series receiving $\frac{1}{10}$ more than each share of the \$6 series, and including the adjustment series in this class as part of the \$7 series.

(3) Common stockholders to receive 7.5% of the portfolio. In connection with the foregoing, it is stated that fractional shares will not be issued, but in lieu thereof there will be issued fractional scrip which will entitle the holder to combine fractions into full shares of stock. Such scrip may provide that it will become void after the expiration of two years from the effective date of the plan.

The proposed distribution will be in complete satisfaction of the existing rights of the several classes of NEPSCO stockholders, including all rights to accrued dividends and any right to receive the appraised value of their old stock, except that pending the merger of NEPSCO into Industries, shares necessary for the continued qualification of the directors of NEPSCO will remain outstanding, but will receive nothing on account of that merger.

(d) Merger of NEPSCO into Industries.

II. It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that notice be given and a hearing be held with respect to said amended plan; that said amended plan should not be approved except pursuant to further order of the Commission; and

It further appearing to the Commission that it is appropriate that the hearings heretofore held pursuant to section 11 (b) (2) of the act with respect to Northern New England Company and New England Public Service Company be reconvened;

It is hereby ordered, That the hearings in this proceeding be reconvened on January 9, 1945, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in room 318

for the purpose of adducing evidence with respect to the amended plan, as submitted, or as hereafter modified, or any other plan or plans that may be filed by any duly qualified person or persons, and the taking of any additional evidence necessary with respect to the proceedings heretofore instituted, and for the purpose of affording opportunity to all interested persons to be heard;

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice;

It is further ordered, That, without limiting the scope of the issues presented by the amended plan or by the proceedings heretofore instituted, particular attention be directed at the reconvened hearing to the following matters and questions:

(1) Whether the amended plan as proposed, or as hereafter modified, is necessary to effectuate the provisions of section 11 of the act.

(2) Whether the treatment as proposed, or as hereafter modified, to be accorded to the various persons affected thereby is in all respects fair and equitable.

(3) Whether consummation of the said amended plan as proposed, or as hereafter modified, would constitute compliance with the Commission's order of May 2, 1941.

(4) The nature and extent of claims of New England Public Service Company against New England Industries, Inc., the nature and extent of claims of New England Industries, Inc. against Androscoggin Mills, Bates Manufacturing Company, The Edwards Manufacturing Company, Hill Manufacturing Company and York Manufacturing Company, the relative rank of such claims, and whether, and to what extent, if any, the claims of New England Public Service Company and New England Industries, Inc. should be subordinated to any interests held by the public or should be accorded any treatment other than that proposed by NEPSCO to insure fair and equitable recognition of the claims of the public holders of securities of such subsidiaries of NEPSCO.

(5) Whether the accounting entries proposed to be made pursuant to the amended plan are proper and in accordance with sound accounting principles and practice.

(6) Whether the plan should be amended so as to provide for the payment of fees and expenses in connection with the reorganization, and in what amounts such fees and expenses should be paid, and the fair and equitable allocation thereof.

(7) Whether, in the event that the Commission shall approve such plan as filed or as modified, the Commission shall approve such plan for purposes of sec-

tion 11 (d) of the act (as well as section 11 (e)) so as to permit the Commission of its own motion and irrespective of request therefor on the part of New England Public Service Company, to apply to a court for the enforcement of such plan pursuant to section 11 (d).

(8) Whether, in the event that the Commission shall not approve such plan as filed or as modified, a plan proposed by the Commission or by any person having a bona fide interest in the reorganization of New England Public Service Company should be approved by the Commission for purposes of section 11 (d), and, if proposed by the Commission, what the terms and provisions of such plan should be.

(9) Whether the various steps proposed to be taken by New England Public Service Company are in conformity with the applicable provisions of the act and rules promulgated thereunder.

(10) Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the act and rules promulgated thereunder, and, if not, what modifications should be required to be made therein to make said amended plan fair, equitable and feasible and what terms and conditions should be imposed to satisfy the statutory standards.

It is further ordered, That any person desiring to be heard or otherwise wishing to participate in these proceedings should notify the Commission in the manner provided by Rule XVII of its rules of practice on or before January 6, 1945.

It is further ordered, That notice of said hearing be given to the parties named as respondents herein, to persons heretofore granted participation in these proceedings, to the Public Service Commissions of the States of New Hampshire and Vermont and to the Public Utilities Commission of the State of Maine, by mailing a copy of this notice and order forthwith by registered mail, and that notice be given to all other persons by publication of a copy of this notice and order in the FEDERAL REGISTER.

It is further ordered, That New England Public Service Company give notice of this hearing by mailing, at least fifteen (15) days prior to January 9, 1945, a copy of this order to all known holders of debt securities and to all stockholders of record of the parties named as respondents herein as well as to those of New England Industries, Inc., Androscoggin Mills, Bates Manufacturing Company, The Edwards Manufacturing Company, Hill Manufacturing Company and York Manufacturing Company, and that New England Public Service Company furnish to such security holders copies of said amended plan upon request.

It is further ordered, That jurisdiction be and is hereby reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters hereinbefore set forth or which may arise in these proceedings in connection with the said amended plan or the proceedings

heretofore instituted, or to consolidate with these proceedings other filings or matters pertaining thereto, or to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-18647; Filed, Dec. 8, 1944;
2:49 p. m.]

[File No. 52-19]

PORTLAND ELECTRIC POWER CO.

ORDER APPROVING PLAN FOR SUBMISSION TO
DISTRICT COURT

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of December, A. D. 1944.

The Commission in its findings, opinion and order of July 1, 1944 having disapproved certain plans of reorganization of Portland Electric Power Company, a registered holding company and a debtor now in reorganization under Chapter X of the Bankruptcy Act as amended, in the District Court of the United States for the District of Oregon, which plans were filed pursuant to section 11 (f) of the Public Utility Holding Company Act of 1935; and

Guaranty Trust Company of New York, as Indenture Trustee for the 6% Collateral Trust Income Bonds of Portland Electric Power Company having on August 29, 1944 filed an amended plan; hearings having been held on said amended plan; and Guaranty Trust Company of New York having on October 20, 1944 filed a second amended plan dated October 16, 1944; opportunity for hearing and for the filing of briefs and objections with respect to said second amended plan having been given; and the Commission having on this day made and filed its findings and opinion herein:

It is ordered, That said second amended plan dated October 16, 1944 be and the same hereby is approved for submission to said District Court, pursuant to section 11 (f) of said act, subject to the following reservations of jurisdiction:

(1) That jurisdiction be and the same hereby is reserved over the form and content of all instruments necessary to consummate the plan.

(2) That jurisdiction be and the same hereby is reserved over the solicitation of all proxies, authorizations, assents and dissents in connection with the plan.

(3) That jurisdiction be and the same hereby is reserved to issue a supplemental order or orders, in the event that the District Court confirms the plan, in conformity with the provisions of Supplement R to the Internal Revenue Code as amended.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-18649; Filed, Dec. 8, 1944;
2:49 p. m.]

[File No. 70-594]

PUBLIC SERVICE CORP. OF NEW JERSEY, AND
PUBLIC SERVICE COORDINATED TRANSPORT

ORDER PERMITTING DECLARATION TO BECOME
EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 6th day of December 1944.

Public Service Coordinated Transport ("Transport"), a subsidiary company of Public Service Corporation of New Jersey ("Public Service"), and Public Service, in turn a subsidiary of The United Corporation, a registered holding company, having filed a declaration and amendments thereto pursuant to the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder, regarding the proposed sale by Public Service of \$500,000 principal amount of 4% Series, First and Refunding Mortgage Bonds, due 1990, of Transport to the Trustee under the mortgage for these bonds for a cash consideration of \$500,000 plus accrued interest to the date of delivery, the cash to be used by the Trustee for the purchase of the bonds having been deposited with the Trustee by Transport on April 1, 1944, pursuant to the terms of the Indenture securing the bonds, as and for a fund for the retirement of Transport's outstanding bonds; Public Service, pursuant to the plan of reorganization of Transport dated November 2, 1939, having withheld tender of any bonds until the lapse of five months after the receipt of purchase fund money by the Trustee, and no tenders having been received from the public although the Trustee caused to be published notice requesting tenders; and

Said declaration having been filed on the 11th day of November, 1944 and the last amendment having been filed on the 28th day of November, 1944, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of sections 12 (c) and 12 (f) and Rules U-42 and U-43 are satisfied and that no adverse findings are necessary thereunder and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24, that the said declaration as amended be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-18650; Filed, Dec. 8, 1944;
2:49 p. m.]

[File No. 811-17]

PUBLIC INVESTING CO.

FINDINGS AND ORDER DENYING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 7th day of December, A. D., 1944.

Public Investing Company has filed an application under section 8 (f) of the Investment Company Act of 1940 for an order declaring that it has ceased to be an investment company.

A public hearing having been duly held after appropriate notice; the Commission, having examined the record in this matter, finds:

(1) Public Investing Company was organized under the laws of the State of Delaware on January 15, 1929. It is registered under the Investment Company Act as an open-end diversified management company.

(2) At a meeting held on June 20, 1944, the holders of more than two-thirds of the outstanding securities of Public Investing Company voted that the latter cease to do business as an investment company and that it be dissolved. In accordance with the applicable statutory provisions, a certificate of dissolution was issued June 21, 1944, by the Secretary of State of the State of Delaware.

(3) On June 21, 1944 the outstanding securities of Public Investing Company consisted of 26,908 shares of Original Stock and 24,740 shares of Cashable Stock. Both classes of stock are entitled to share equally in liquidation. At that date all of the securities in the portfolio of the company had been liquidated and the sum of \$229,833.60 was deposited with the Pennsylvania Company for Insurance on Lives and Granting Annuities, in trust, for distribution to the security holders. This sum represented an initial dissolution dividend of \$4.45 per share. At June 30, 1944 the remaining assets of the company, consisting of cash and dividends receivable, aggregated \$9,213.44 of which \$2,390 had been reserved for paying agent and miscellaneous expenses and for income taxes. The balance available for distribution thus represented approximately 13 cents per share.

(4) Public Investing Company has pending claims, aggregating \$6,214.62, against the Commonwealth of Pennsylvania for refund of franchise taxes for the years 1937 to 1940 inclusive. The company is represented in this controversy by counsel on a contingent basis. It appears that these claims will not be reached for review for some time.

(5) The officers of the company have no knowledge of any outstanding claims against the company but deem it to be prudent to retain the balance of the funds held until the expiration of the statutory period of 3 years after the dissolution of a company during which period claims may be presented.

Wherefore, it is appropriate in the public interest and consistent for the protection of the investors and the purposes fairly intended by the policy and provisions of the act to grant to the applicant the exemptions hereinafter provided.

It is ordered, That Public Investing Company be and hereby is exempted from (1) the provisions of section 30 (a) of the act and of Rule N-30A-1 promulgated thereunder insofar as said section and rule require the filing of annual reports with the Commission; (2) the provisions of section 30 (b) of the act and of Rule N-30B1-1 promulgated thereunder insofar as said section and rule require the filing of quarterly reports with the Commission; and (3) the provisions of section 30 (d) of the act and of Rule N-30D-1 promulgated thereunder insofar as said section and rule require the transmission of reports to stockholders at least semi-annually; subject, however, to the condition that the applicant shall file with the Commission on or before February 1, 1945 a statement of its assets as of December 31, 1944 and of applicant's receipts and disbursements from June 21, 1944 to December 31, 1944, including an analysis of disbursements made for services rendered to the applicant, and that until final distribution of its assets has been made the applicant shall file similar statement's for each six months period ending June 30 and December 31 within 60 days after the close of such periods; and

It is further ordered, That the application insofar as it requests an order under section 8 (f) of the act declaring that the applicant has ceased to be an investment company be and hereby is denied, without prejudice, however, to a renewal thereof upon final distribution of its assets.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 44-18684; Filed, Dec. 9, 1944;
2:45 p. m.]

[File No. 54-52]

**PUGET SOUND POWER & LIGHT CO. AND
ENGINEERS PUBLIC SERVICE CO.**

**ORDER RELEASING JURISDICTION AS TO
CERTAIN FEES AND EXPENSES**

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 5th day of December 1944.

The Commission having issued an order, dated April 27, 1943, approving the plan of reorganization of Puget Sound Power & Light Company, formerly a subsidiary of Engineers Public Service Company, a registered holding company, submitted by Engineers Public Service Company pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935; and

The Commission's order of April 27, 1943, approving said plan of reorganization, having reserved jurisdiction to the Commission to approve, disapprove, modify, allocate or award by further order or orders all fees and expenses incurred or to be incurred in connection with said plan, transactions incident thereto, and the consummation thereof; and

The Commission having by order dated January 13, 1944 released jurisdiction with respect to the reasonableness and the allocation of fees and expenses paid or incurred by Engineers Public Service Company totalling \$36,139.36; and

Supplemental petitions having been filed by Puget Sound Power & Light Company, Puget Sound Power & Light Company Stockholders' Advisory Committee and Puget Sound Power & Light Company \$6 Preferred Stock Protective Committee requesting approval of their respective fees and expenses incurred in connection with the above-entitled proceeding; and

The three applicants having submitted petitions requesting approval of the payment of fees and expenses totalling \$189,772.36 classified as follows:

	Fees	Expenses	Total
Puget Sound Power & Light Co.-----	\$36,139.00	\$73,092.49	\$109,637.49
Puget Sound Power & Light Co. Stockholders' Advisory Committee-----	10,000.00	3,535.05	13,535.05
Puget Sound Power & Light Co. \$6 Preferred Stock Protective Committee-----	54,450.00	12,009.82	66,549.82
	101,045.00	88,727.36	189,772.36

and

Puget Sound Power & Light Company \$6 Preferred Stock Protective Committee having submitted an amendment to its petition indicating that it would accept, in lieu of the total sum of \$66,549.82 claimed by it for fees and expenses incurred in connection with this proceeding, the sum of \$25,000 for compensation and the sum of \$9,670.74 for expenses to this Committee, or a total of \$34,670.74 in full payment for its services; and Puget Sound Power & Light Company having filed a consent agreeing to pay to Puget Sound Power & Light Company \$6 Preferred Stock Protective Committee the reduced amount of \$34,670.74; and the Commission having examined all the relevant facts in the record and having considered the amount now requested for said fees and expenses consented to by said parties; and it appearing to the Commission that no adverse findings are required in respect to the payment of such fees and expenses as so reduced; and

The members of the Puget Sound Power & Light Company \$6 Preferred Stock Protective Committee and their counsel, and counsel for the Puget Sound Power & Light Company Stockholders' Advisory Committee, who have requested approval of their respective fees and expenses, having submitted due proof of compliance with the provisions of Rule U-62 (g) (2) of the general rules and regulations promulgated under the Public Utility Holding Company Act of 1935; and

The Commission finding that said fees and expenses incurred by Puget Sound Power & Light Company, Puget Sound Power & Light Company Stockholders' Advisory Committee and by Puget Sound Power & Light Company \$6 Preferred Stock Protective Committee (in the re-

duced amount) are not unreasonable in amount or allocation;

It is ordered, That the jurisdiction reserved in the order of April 27, 1943 with respect to the reasonableness and the allocation of fees and expenses incurred by the applicants be and the same is hereby released, subject to the provisions of Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 44-18685; Filed, Dec. 9, 1944;
2:45 p. m.]

[File Nos. 54-66, 59-61, 59-35]

FEDERAL WATER AND GAS CORP., ET AL.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of December, A. D. 1944.

In the matters of Federal Water and Gas Corporation and Subsidiary Companies, File No. 54-66; Federal Water and Gas Corporation and Subsidiary Companies, Respondents, File No. 59-61; New York Water Service Corporation, Federal Water and Gas Corporation, File No. 59-35.

The Commission having by order dated February 10, 1943, entered pursuant to section 11 of the Public Utility Holding Company Act of 1935, directed that Federal Water and Gas Corporation, a registered holding company, and its subsidiaries take certain steps as specified in said order to comply with the provisions of section 11 (b) of the said act;

Federal Water and Gas Corporation having filed an application requesting a second extension of time for six months within which to comply with said order of February 10, 1943; and

The Commission having found that Federal Water and Gas Corporation has been unable in the exercise of due diligence to comply with the divestment provisions of said order within the initial statutory period of one year from the date thereof, and within the additional period of six months granted upon application, and that a limited extension of time is necessary and appropriate in the public interest and for the protection of investors and consumers; and that under the circumstances an extension shall be granted for a period of six months from August 10, 1944;

It is ordered, That Federal Water and Gas Corporation and subsidiaries be, and they are hereby, granted an additional period of six months from August 10, 1944 within which to comply with said provisions of said order of February 10, 1943.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 44-18686; Filed, Dec. 9, 1944;
2:45 p. m.]

[File Nos. 54-42, 54-69, 59-65]

CENTRAL STATES UTILITIES CORP., ET AL

ORDER APPROVING PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of December, A. D. 1944.

In the matters of Central States Utilities Corporation, Central States Power & Light Corporation, Ogden Corporation, et al., File No. 54-42; Ogden Corporation and Subsidiary Companies, File No. 54-69; Ogden Corporation and Subsidiary Companies, File No. 59-65.

Ogden Corporation ("Ogden") and certain of its subsidiary companies, having previously filed an application under section 11 (e) of the Public Utility Holding Company Act of 1935, relating to a plan designed to enable that company and certain of its subsidiary companies to comply with the provisions of section 11 (b) of the act (File Nos. 54-69 and 59-65, said plan providing, among other things, for the liquidation and dissolution of Central States Utilities Corporation ("Central Utilities") and Central States Power & Light Corporation ("Central States"); the Commission having on May 20, 1943 entered an order approving said plan of Ogden and its subsidiary companies and, pursuant to section 11 (b) of the act, directing, among other things, that Central States recapitalize so as to distribute voting power fairly and equitably among its security holders: *Provided, however*, That such recapitalization need not be effected if said company is liquidated and dissolved within the statutory period provided by section 11 (c) of the said act;

Ogden, Central Utilities, and Central States having heretofore filed an application and amendments thereto, pursuant to section 11 (e) and other applicable sections of the act, relating to a plan of liquidation and dissolution of Central Utilities and Central States (File No. 54-42), said plan having provided, among other things, for the extension of the maturity date of Central States' 5% Debentures from January 1, 1944, to January 1, 1945;

The Commission having by order dated December 3, 1943, approved a plan under section 11 (e) of the act providing for the extension of the maturity date of said debentures from January 1, 1944 to January 1, 1945, and the said plan having been approved and enforced by the District Court of the United States for the District of Delaware;

The Commission having on October 13, 1944, entered an order, pursuant to section 11 (e) and other applicable sections of the act, approving, among other things, subject to certain terms and conditions, a plan providing for the sale of Central States' last remaining utility properties (the "Iowa-Minnesota" properties) for a base price of \$2,750,000, and the use of a portion of the proceeds to discharge the unpaid balance of its outstanding First Mortgage and First Lien Gold Bonds, 5½% Series, due 1953, all of which are publicly held (File No. 54-42), and the said plan having been ap-

proved and enforced by the District Court of the United States for the District of Delaware;

Ogden, Central Utilities, and Central States, having now filed a plan under section 11 (e) of the act (File No. 54-42) requesting the Commission to approve, among other matters, a proposed extension of the maturity date of Central States' 5% Debentures from January 1, 1945, to January 1, 1946 (which plan will hereinafter be referred to as the "maturity extension plan"); and having requested the Commission to apply to the District Court of the United States for the District of Delaware, pursuant to the provisions of section 11 (e) of the act, to enforce and carry out, in accordance with the provisions of section 13 (f) of the act, the terms and provisions of the maturity extension plan;

A hearing on the matters contained in said maturity extension plan having been held after appropriate notice, which notice included notification by mail to all known holders of Central States' 5% Debentures; notice also having been given by publication in the FEDERAL REGISTER; no holders of Central States' debentures or holders of other of Central States' securities, or other persons, having appeared at said hearing in opposition to the said maturity extension plan; the record in the matter having been examined by the Commission; and the Commission having made and filed its findings and opinion herein; and

The Commission having found therein that the said maturity extension plan is necessary to effectuate the provisions of section 11 (b) of the act, and is fair and equitable to the persons affected thereby;

It is ordered, Pursuant to section 11 and other applicable sections of the act, that the said maturity extension plan be, and the same is hereby, approved, subject to the following conditions:

(1) That Central States shall mail to each of its known debenture holders a copy of the findings and opinion filed herein, such mailing to be made at the same time as the mailing of the first notice of a hearing which the court may require in connection with the proceeding for the enforcement of the maturity extension plan;

(2) That the Commission hereby reserves jurisdiction to consider such further matters, including the disposition and allocation of the balance of the assets of Central States, enter such further orders, and make such other findings, and to make such other action as may be appropriate in the premises;

(3) That this order shall not be operative to authorize the consummation of the transactions proposed in the maturity extension plan until the District Court of the United States for the District of Delaware, upon application thereto, shall enter an order enforcing such plan.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.[F. R. Doc. 44-18687; Filed, Dec. 9, 1944;
2:40 p. m.]

[File No. 70-1000]

CONSOLIDATED NATURAL GAS CO., ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of December 1944.

In the matter of Consolidated Natural Gas Company, New York State Natural Gas Corporation and The Peoples Natural Gas Company; File No. 70-1000.

Consolidated Natural Gas Company ("Consolidated"), a registered holding company, and two of its subsidiaries, New York State Natural Gas Corporation ("New York State") and The Peoples Natural Gas Company ("Peoples"), having filed joint applications and declarations pursuant to the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder regarding the proposed issue and sale by New York State of 9,100 shares of common capital stock (\$100 par value) to Consolidated for \$910,000 in cash, of which amount New York State proposes to use \$804,860.12 to acquire from Peoples a certain pipe line, now being operated by New York State under lease from Peoples, extending from a point near Peoples' Paw Compressor Station, Clarion County, Pennsylvania, in a northeasterly direction for a distance of approximately ninety miles to a point in Nebron Township, Potter County, Pennsylvania; the application stating that the pipe line is at present carried on the books of the vendor on the basis of original cost and that the purchase price of \$804,860.12 represents such original cost less accrued depreciation; it being further stated that New York State will record this property and the related depreciation reserve in the same amounts as carried on the books of the vendor; the purpose of these transactions being to complete New York State's program for the construction and acquisition of direct transmission facilities connecting the system of Hope Natural Gas Company, an affiliated company, at the Pennsylvania-West Virginia state line with the New York State system in northern Pennsylvania; the financing of the initial step of the program, involving the construction of 127 miles of pipe line, having been heretofore approved by the Commission by its order of June 12, 1944 (Holding Company Act Release No. 5097); the acquisition and operation of the pipe line having been authorized by the Federal Power Commission and the proposed sale of the pipe line by Peoples to New York State having been approved by the Pennsylvania Public Utility Commission; and

Said applications and declarations having been filed on the 22d day of November 1944, and notice of said filing having been given in the manner and form prescribed by Rule U-23 under said act, and the Commission not having received requests for hearings with respect to said applications and declarations within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of sections 6 (a), 7, 9 (a), 10 and 12 (f) and Rules U-43 and U-50 are satisfied and that no adverse findings are necessary thereunder and deeming it appropriate in the public interest and in the interest of investors and consumers to grant said applications and to permit said declarations to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 that the said applications be, and the same hereby are, granted and that the said declarations be, and the same hereby are, permitted to become effective forthwith.

It is further ordered, That the jurisdiction heretofore reserved with respect to the status of the holding company system of Consolidated Natural Gas Company under section 11 (b) of said act, including the right to order Consolidated Natural Gas Company in any appropriate proceeding to take such action as may be required under that section, be continued.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-18683; Filed, Dec. 9, 1944;
2:46 p. m.]

[File No. 1-3217]

ELASTIC STOP NUT CORPORATION OF AMERICA

ORDER SUMMARILY SUSPENDING TRADING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of December, A. D. 1944.

In the matter of trading on the New York Stock Exchange in the Common Stock, \$1 Par Value, of Elastic Stop Nut Corporation of America, File No. 1-3217.

The Commission, by order adopted on November 29, 1944, pursuant to section 19 (a) (4), having summarily suspended trading in the Common Stock, \$1 Par Value, of Elastic Stop Nut Corporation of America on the New York Stock Exchange for a period of ten (10) days in order to prevent fraudulent, deceptive, or manipulative acts or practices;

Proceedings having been authorized pursuant to sections 8 (e) of the Securities Act of 1933 and 21 (a) of the Securities Exchange Act of 1934 to determine whether the registration statement filed by said corporation with respect to its Fifteen-Year 5% Sinking Fund Debentures, due January 15, 1959, or the application for the registration of its Common Stock, \$1 Par Value, on the New York Stock Exchange includes any untrue statements of material facts or omits to state any material facts required to be stated therein or necessary to make the statements therein not misleading, or whether any person has violated or is about to violate any provision of the Securities Exchange Act of 1934 or any rule or regulation thereunder; and

The Commission, with due regard for the public interest and the protection of

investors, deeming it appropriate that trading in said Common Stock on the New York Stock Exchange be summarily suspended;

It is ordered, Pursuant to section 19 (a) (4) that trading in said Common Stock on the New York Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive, or manipulative acts or practices, effective at the opening of the trading session on December 9, 1944, for a period of ten days.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-18689; Filed, Dec. 9, 1944;
2:46 p. m.]

[File No. 812-369]

CHICAGO CORP., ET AL.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa. on the 9th day of December, A. D. 1944.

In the matter of The Chicago Corporation, Clyde H. Alexander, Mac and Company, McCreslenn Oil Company, Robert T. Wilson and W. E. Mueller; File No. 812-368.

The Chicago Corporation, Chicago, Illinois, has filed an application pursuant to section 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of section 17 (a) of said act transactions in which applicant proposes to buy voting trust certificates for shares of common stock of Gulf Plains Corporation as follows: 300 shares from Clyde H. Alexander, 500 shares from Mac and Company, 300 shares from McCreslenn Oil Company, 580 shares from Robert T. Wilson, and 34 shares from W. E. Mueller. The proposed purchase price for the shares represented by the voting trust certificates is \$400 per share. The purchaser in the proposed transactions is a registered investment company. The sellers are affiliated persons of The Chicago Corporation.

It is ordered, Pursuant to section 40 (a) of the said act that a hearing on the aforementioned application be held on December 19, 1944 at 10:00 a. m. eastern war time in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia 3, Pennsylvania; and

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to The Chicago Corporation, Clyde H. Alexander, Mac and Company, McCreslenn Oil Company, Robert T. Wilson and W. E. Mueller and to any other persons whose participation in such proceeding

may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] Nellye A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 44-18706; Filed, Dec. 11, 1944;
9:30 a. m.]

[File No. 812-369]

BANKERS NATIONAL INVESTING CORP.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania on the 9th day of December, A. D. 1944.

Bankers National Investing Corporation, a registered investment company, has filed an application pursuant to section 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of section 17 (a) of said act a transaction in which applicant proposes to sell to Continental Motor Coach Lines, Inc. all of the outstanding capital stock of Kentucky Bus Lines, Inc. for the sum of \$290,000. Such stock consists of 100 shares of capital stock of a par value of \$100 per share. Continental, the prospective purchaser, is an affiliated person of Beneficial Industrial Loan Corporation, and Beneficial is an affiliated person of applicant.

It is ordered, Pursuant to section 40 (a) of the said act that a hearing on the aforementioned application be held on December 19, 1944 at 10:00 a. m., eastern war time in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania; and

It is further ordered, That Allen MacCullen, Esq., or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to Bankers National Investing Corporation, and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] Nellye A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 44-18707; Filed, Dec. 11, 1944;
9:29 a. m.]

[File No. 70-1003]

MASSACHUSETTS UTILITIES ASSOCIATES

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 8th day of December A. D. 1944.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Massachusetts Utilities Associates, a voluntary association created pursuant to an agreement and declaration of trust under the laws of the Commonwealth of Massachusetts and a nonregistered subsidiary holding company of New England Power Association, a registered holding company.

Notice is further given that any interested person may, not later than December 27, 1944, at 10:00 a. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such declaration as filed or as amended may become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested parties are referred to said declaration, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Massachusetts Utilities Associates proposes to issue a 2¼% unsecured note in the principal amount of \$3,000,000, dated February 9, 1945 and due February 9, 1948, to The First National Bank of Boston, to redeem a 2½% unsecured note dated February 9, 1942 and due February 9, 1945, in the principal amount of \$3,000,000 held by said The First National Bank of Boston. (See 10 S. E. C. 1114, findings and opinion of this Commission, re issuance of latter note.)

The proposed note is to provide that interest will be payable monthly at the rate of 2¼% per annum, that all or any part of the principal amount may be paid at the election of Massachusetts Utilities Associates at any time upon not less than thirty days' prior written notice, and that the aggregate of the indebtedness of Massachusetts Utilities Associates and its subsidiaries, except taxes and accounts payable incurred in the ordinary course of business and except indebtedness of subsidiaries to Massachusetts Utilities Associates or another subsidiary of Massachusetts Utilities Associates shall at no time exceed \$7,000,000, and that the aggregate of the indebtedness of such subsidiaries, except taxes and accounts payable incurred in the ordinary course of business and except indebtedness to Massachusetts Utilities Associates or another subsidiary of Massachusetts Utilities Associates, shall at no time exceed \$1,000,000.

No fees or commissions are involved in connection with the proposed transaction except that incidental services in connection therewith are to be performed by New England Power Service Company, an affiliated service company, at the actual cost thereof, estimated not to exceed \$500.

The declaration also states that "Massachusetts Utilities Associates hereby agrees that so long as the proposed

note, or any part thereof, is outstanding, Massachusetts Utilities Associates shall not, without further order of the Commission, declare or pay any dividends on its common shares and Massachusetts Utilities Associates hereby consents to the attachment of such a condition to any order of the Commission making effective the declaration in this case."

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-18705; Filed, Dec. 11, 1944;
9:30 a. m.]

[File No. 60-21]

ELLIS L. PHILLIPS, ET AL.

ORDER NAMING ADDITIONAL RESPONDENT

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of December 1944.

In the matter of Ellis L. Phillips, Empire Power Corporation, Eastern Seaboard Securities Corporation, Lauridel Corporation, jointly and severally, respondents; File No. 60-21.

The Commission having, on November 21, 1944, instituted a proceeding under section 2 (a) (7) (B) of the Public Utility Holding Company Act of 1935, in which Ellis L. Phillips, Empire Power Corporation, Eastern Seaboard Securities Corporation and Lauridel Corporation are Respondents, for the purpose of determining whether said Respondents, or any one or more of them directly or indirectly exercise (either alone or pursuant to an understanding with one or more other persons) such a controlling influence over the management or policies of Long Island Lighting Company and its subsidiary companies as to make it necessary or appropriate in the public interest or for the protection of investors or consumers that said Respondents, or any one or more of them, be subject to the obligations, duties and liabilities imposed in said act upon holding companies; and, having ordered that a hearing be held on December 19, 1944, for the purpose of adducing evidence with respect to said matter; and

The Commission having been advised by its Public Utilities Division of evidence tending to show that in addition to the above-named Respondents, the Delaware Olmsted Company, a Delaware corporation, directly or indirectly exercises (either alone or together with the above named Respondents, or pursuant to an arrangement or understanding with said Respondents or with one or more other persons) such a controlling influence over the management or policies of Long Island Lighting Company, a public-utility and holding company, and its subsidiary companies, as to make it necessary or appropriate in the public interest or for the protection of investors or consumers that Delaware Olmsted Company be subject to the obligations, duties and liabilities imposed in the Public Utility Holding Company Act of 1935 upon holding companies; and

Said Delaware Olmsted Company not having filed with the Commission, either alone or with other persons, a notification of registration pursuant to section 5 (a) of said act:

It is ordered, That said Delaware Olmsted Company be, and hereby is, named as a respondent in the above entitled matter.

It is further ordered, That at the hearing heretofore scheduled for December 19, 1944, evidence be adduced with respect to whether Delaware Olmsted Company directly or indirectly exercises (either alone or together with the above named Respondents, or pursuant to an arrangement or understanding with said Respondents or with one or more other persons) such a controlling influence over the management or policies of Long Island Lighting Company, a public-utility and holding company, and its subsidiary companies, as to make it necessary or appropriate in the public interest or for the protection of investors or consumers that Delaware Olmsted Company be subject to the obligations, duties and liabilities imposed in the Public Utility Holding Company Act of 1935 upon holding companies.

It is further ordered, That the Secretary of the Commission give notice of this order to Delaware Olmsted Company, the above named Respondents, to Long Island Lighting Company and each of its subsidiary companies, to the Public Service Commission of the State of New York, and to all other interested persons; said notice to be given to Delaware Olmsted Company, to said Respondents, to Long Island Lighting Company and to each of its subsidiary companies, and to the Public Service Commission of the State of New York by registered mail, and to all other persons by general release of this Commission, which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication in the FEDERAL REGISTER.

By the Commission.

[SEAL]

NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 44-18703; Filed, Dec. 11, 1944;
9:30 a. m.]

[File No. 70-867]

ENGINEERS PUBLIC SERVICE CO.

NOTICE OF FILING, ORDER FOR HEARING, AND ORDER EXTENDING ORDER OF APRIL 14, 1944

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of December, A. D. 1944.

Notice is hereby given that post-amendment No. 2 to a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Engineers Public Service Company ("Engineers"), a registered holding company.

All interested persons are referred to said post-amendment, which is on file in the office of said Commission, for a statement of the transactions therein

proposed which are summarized as follows:

Engineers requests a further extension of an additional four months to April 14, 1945 in order to complete the expenditure of the balance of \$4,000,000 for the reacquisition of its presently outstanding \$5 (Cumulative) Dividend Convertible Preferred Stock, \$5.50 Cumulative Dividend Preferred Stock and \$6 Cumulative Dividend Preferred Stock by purchases on the New York Stock Exchange and by private purchases as provided in the Commission's order of April 14, 1944 (Holding Company Act Release No. 4997, which order imposed certain terms and conditions, including the condition that no purchases were to be made after four months from the date of said order, subject, however, to the right of Engineers to apply for extensions.

On July 22, 1944 Engineers filed post-amendment No. 1 to its declaration requesting an extension of four months to December 14, 1944 of the time within which to complete the reacquisition program under the same terms and conditions as set forth in the order of April 14, 1944, which requested extension to December 14, 1944 was granted by the Commission on July 31, 1944 (Holding Company Act Release No. 5180) subject otherwise to the terms and conditions set forth in the order of April 14, 1944.

Engineers, in accordance with the above orders permitting the reacquisition of its outstanding preferred stocks, has made the following purchases of its preferred stock as of November 30, 1944:

Class	Number of shares purchased	Purchase price
\$0.00.....	4,870.....	\$487,053.50
\$5.50.....	8,640.....	862,412.25
\$5.00.....	12,050.....	1,182,627.00
Total expended.....		2,532,093.75

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matter and that post-amendment No. 2 to the declaration shall not be permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on this matter be reconvened at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, at 10:00 a. m., e. w. t. on the 27th day of December, 1944 in such room as may be designated on such day by the hearing room clerk. At such hearing cause shall be shown why such post-amendment No. 2 to the declaration shall be permitted to become effective.

All persons desiring to be heard or otherwise wishing to participate should notify the Commission in the manner provided in Rule XVII of the Commission's rules of practice on or before December 9, 1944.

It is further ordered, That Henry C. Lank, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing

above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of this Commission shall serve notice of this order by mailing copies thereof by registered mail to Engineers Public Service Company and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

It is further ordered, That without limiting the scope of the issues presented by said post-amendment to the declaration, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed reacquisition program shall be further extended for a period of four months in order to permit the declarant the opportunity to complete the expenditure of the balance of the \$4,000,000 for the reacquisition of its presently outstanding preferred stocks.

It appearing further to the Commission that the issue raised herein cannot be disposed of prior to December 14, 1944, the date on which the order herein requested to be extended will expire, and it appearing appropriate that the order of April 14, 1944 should be extended without modification pending the final determination of the issue herein:

It is further ordered, That the time within which purchases of its preferred stocks may be effected by Engineers under the Commission's order of April 14, 1944 be, and hereby is, extended without modification pending the final determination of the issue herein.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 44-18704; Filed, Dec. 11, 1944;
9:30 a. m.]

WAR SHIPPING ADMINISTRATION.

"ROCKET"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress).

Whereas on September 1, 1942 title to the vessel "Rocket" (231450) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section

902 of the Merchant Marine Act, 1936, as amended, or the act of June 6, 1941 (Public Law 101, Seventy-seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: December 11, 1944.

[SEAL] E. S. LAND,
Administrator.

[F. R. Doc. 44-18717; Filed, Dec. 11, 1944;
11:08 a. m.]

"NEIGHBOR"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to Section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Cong.)

Whereas on August 22, 1942 title to the vessel "Neighbor" (230317) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Cong.), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after

such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *;

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: December 11, 1944.

[SEAL]

E. S. LAND,
Administrator.

[F. R. Doc. 44-18718; Filed, Dec. 11, 1944;
11:08 a. m.]

"MARY MACK"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress).

Whereas on July 22, 1942 title to the vessel "Mary Mack" (237938) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time

prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *;

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: December 11, 1944.

[SEAL]

E. S. LAND,
Administrator.

[F. R. Doc. 44-18716; Filed, Dec. 11, 1944;
11:08 a. m.]

"ETHEL S."

DETERMINATION OF VESSEL OWNERSHIP

Notice of Determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress).

Whereas on March 15, 1944 title to the vessel "Ethel S." (229341) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the act of June 6, 1941 (Public Law 101, Seventy-seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: December 11, 1944.

[SEAL]

E. S. LAND,
Administrator.

[F. R. Doc. 44-18715; Filed, Dec. 11, 1944;
11:03 a. m.]

